

Michigan Register

Issue No. 10– 2015 (Published June 15, 2015)



GRAPHIC IMAGES IN THE MICHIGAN REGISTER

COVER DRAWING

Michigan State Capitol:

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

PAGE GRAPHICS

Capitol Dome:

The architectural rendering of the Michigan State Capitol's dome is the work of Elijah E. Myers, the building's renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers' fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19th century have survived. Michigan is fortunate that many of Myers' designs for the Capitol were found in the building's attic in the 1950's. As part of the state's 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

East Elevation of the Michigan State Capitol:

When Myers' drawings were discovered in the 1950's, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building's recent restoration (1989-1992), this drawing was commissioned to recreate the architect's original rendering of the east (front) elevation.

(Michigan Capitol Committee)

Michigan Register

Published pursuant to § 24.208 of
The Michigan Compiled Laws



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(This issue, published June 15, 2015, contains
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Rick Snyder, Governor



Brian Calley, Lieutenant Governor

PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Office of Regulatory Reform publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

24.208 Michigan register; publication; cumulative index; contents; public subscription; fee; synopsis of proposed rule or guideline; transmitting copies to office of regulatory reform.

Sec. 8.

(1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

- (a) Executive orders and executive reorganization orders.
- (b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.
- (c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.
- (d) Proposed administrative rules.
- (e) Notices of public hearings on proposed administrative rules.
- (f) Administrative rules filed with the secretary of state.
- (g) Emergency rules filed with the secretary of state.
- (h) Notice of proposed and adopted agency guidelines.
- (i) Other official information considered necessary or appropriate by the office of regulatory reform.
- (j) Attorney general opinions.
- (k) All of the items listed in section 7(m) after final approval by the certificate of need commission under section 22215 of the public health code, 1978 PA 368, MCL 333.22215.

(2) The office of regulatory reform shall publish a cumulative index for the Michigan register.

(3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.

(4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the office of regulatory reform may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.

(5) An agency shall electronically transmit a copy of the proposed rules and notice of public hearing to the office of regulatory reform for publication in the Michigan register.

4.1203 Michigan register fund; creation; administration; expenditures; disposition of money received from sale of Michigan register and amounts paid by state agencies; use of fund; price of Michigan register; availability of text on internet; copyright or other proprietary interest; fee prohibited; definition.

Sec. 203.

- (1) The Michigan register fund is created in the state treasury and shall be administered by the office of regulatory reform. The fund shall be expended only as provided in this section.
- (2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.
- (3) The Michigan register fund shall be used to pay the costs of preparing, printing, and distributing the Michigan register.
- (4) The department of management and budget shall sell copies of the Michigan register at a price determined by the office of regulatory reform not to exceed the cost of preparation, printing, and distribution.
- (5) Notwithstanding section 204, beginning January 1, 2001, the office of regulatory reform shall make the text of the Michigan register available to the public on the internet.
- (6) The information described in subsection (5) that is maintained by the office of regulatory reform shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the office of regulatory reform shall be made available in the shortest feasible time after it is made available to the office of regulatory reform.
- (7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).
- (8) The office of regulatory reform shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).
- (9) As used in this section, "Michigan register" means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

CITATION TO THE MICHIGAN REGISTER

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

CLOSING DATES AND PUBLICATION SCHEDULE

The deadlines for submitting documents to the Office of Regulatory Reinvention for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The Office of Regulatory Reinvention is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, Office of Regulatory Reinvention, Ottawa Building – Second Floor, 611 W. Ottawa Street, Lansing, MI 48909.

RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE

The *Michigan Administrative Code* (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the *Michigan Register*. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the *Register* during a given calendar year. Emergency rules published in an issue of the *Register* are noted in the annual supplement to the Code.

SUBSCRIPTIONS AND DISTRIBUTION

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of \$400.00 per year. Submit subscription requests to: Office of Regulatory Reinvention, Ottawa Building – Second Floor, 611 W. Ottawa Street, Lansing, MI 48909. Checks Payable: State of Michigan. Any questions should be directed to the Office of Regulatory Reinvention (517) 335-8658.

INTERNET ACCESS

The *Michigan Register* can be viewed free of charge on the Internet web site of the Office of Regulatory Reinvention: www.michigan.gov/orr.

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the Office of Regulatory Reinvention Internet web site. The electronic version of the *Register* can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Mike Zimmer, Director
Licensing and Regulatory Affairs

2015 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
1	January 15, 2015	February 1, 2015
2	February 1, 2015	February 15, 2015
3	February 15, 2015	March 1, 2015
4	March 1, 2015	March 15, 2015
5	March 15, 2015	April 1, 2015
6	April 1, 2015	April 15, 2015
7	April 15, 2015	May 1, 2015
8	May 1, 2015	May 15, 2015
9	May 15, 2015	June 1, 2015
10	June 1, 2015	June 15, 2015
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19	October 15, 2015	November 1, 2015
20	November 1, 2015	November 15, 2015
21	November 15, 2015	December 1, 2015
22	December 1, 2015	December 15, 2015
23	December 15, 2015	January 1, 2016
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ADMINISTRATIVE RULES
FILED WITH THE SECRETARY OF STATE

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reinvention shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(f) Administrative rules filed with the secretary of state.”

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

GENERAL INDUSTRY SAFETY STANDARDS

Filed with the Secretary of State on May 21, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under sections 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16 and 21 of 1974 PA 154, MCL 408.1016 and 408.1021, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.17310, R 408.17312, R 408.17314, R 408.17315, R 408.17316, R 408.17317, R 408.17318, and R 408.17320, of the Michigan Administrative Code are amended and R 408.17302 of the Code is added, as follows:

PART 73. FIRE BRIGADES

R 408.17302. Adopted and referenced standards,

Rule 7302. (1) The National Fire Protection Association Standard NFPA 1971 “Standard on protective ensemble for structural fire fighting and proximity fire fighting,” 1997 edition is adopted by reference in these rules and is available from IHS Global, 15 Inverness Way East, Englewood, Colorado, 80112, USA, telephone number: 1-800-854-7179 or via the internet at website: www.global.ihs.com; at a cost as of the time of adoption of these rules, of \$27.00.

(2) The standards adopted in these rules are also available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, Lansing, Michigan, 48909-8143.

(3) Copies of the standards adopted in these rules may be obtained from the publisher or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.

(4) The following Michigan occupational safety and health standards (MIOSHA) are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of licensing and regulatory affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: www.michigan.gov/miohastandards. For quantities greater than 5, the cost, at the time of adoption of these rules, is 4 cents per page.

(a) General Industry Safety Standard Part 8 “Portable Fire Extinguishers,” R 408.10801 to R 408.10839.

(b) General Industry Safety Standard Part 33 “Personal Protective Equipment,” R 408.13301 to R 40898.

(c) Occupational Health Standard Part 451 “Respiratory Protection,” R 325.60051 to R 325.60052.

R 408.17310 Employer responsibilities.

Rule 7310. (1) The employer having a fire brigade shall prepare and maintain a statement or written policy that establishes the existence of a fire brigade; and the basic organizational structure; the type, amount, and frequency of training to be provided to fire brigade members; the expected number of members in the fire brigade; and the functions that the fire brigade is to perform at the workplace. The organizational statement shall be available for inspection by the director of the department of licensing and regulatory affairs and by employees or their designated representatives.

(2) The employer shall assure that employees who are expected to do structural fire fighting are physically capable of performing duties that may be assigned to them during emergencies. The employer shall not permit employees with known heart disease, epilepsy, or emphysema to participate in fire brigade emergency activities unless a physician’s certificate of the employees’ fitness to participate in such activities is provided. For employees assigned to fire brigades before September 15, 1980, this rule is effective on September 15, 1985. For employees assigned to fire brigades after September 15, 1980, this rule applies.

(3) The employer shall provide training and education for all fire brigade members commensurate with those duties and functions that fire brigade members are expected to perform. Such training and education shall be provided to fire brigade members before they perform fire brigade emergency activities. Fire brigade leaders and training instructors shall be provided with training and education which is more comprehensive than that provided to the general membership of the fire brigade.

(4) The quality of training and education programs for fire brigade members shall be similar to the training and programs conducted by such fire training schools as any of the following:

- (a) Maryland fire and rescue institute.
- (b) Iowa fire service extension.
- (c) West Virginia fire service extension.
- (d) Georgia fire academy.
- (e) New York state department, fire prevention and control.
- (f) Louisiana state university firemen training program.
- (g) Michigan’s Macomb community college, fire and emergency services training center.
- (h) Washington state’s fire service training commission for vocational education.

(5) The training and education program for oil refinery industry fire brigade members shall be similar in quality to the training and education program conducted by any of the following:

- (a) Macomb community college of Michigan, fire and emergency services training center.
- (b) Texas A & M university.
- (c) Lamar university.
- (d) Reno fire school.
- (e) Delaware state fire school.

(6) Training for incipient fires shall be similar to the training provided by the fire training schools listed in subrule (4) of this rule or to the fire training for incipient fires offered by the school of labor and industrial relations at Michigan state university.

(7) An employer shall assure that training and education is conducted frequently enough to ensure that each member of the fire brigade is able to perform the member's assigned duties and functions satisfactorily and in a safe manner so as not to endanger fire brigade members or other employees. All fire brigade members shall be provided with training at least annually. In addition, fire brigade members who are expected to perform interior structural fire fighting shall be provided with an education session or training at least quarterly.

(8) An employer shall inform fire brigade members about special hazards, such as the storage and use of flammable liquids and gases, toxic chemicals, radioactive sources, and water reactive substances, to which they may be exposed during a fire and other emergencies. The fire brigade members shall also be advised of any changes that occur in relation to the special hazards.

(9) An employer shall develop written procedures that describe the actions to be taken in situations involving special hazards and shall include these written procedures in the training and education program. An employer shall make the procedures available for inspection by fire brigade members.

R 408.17312 Fire fighting equipment.

Rule 7312. (1) The employer shall maintain and inspect, at least annually, fire fighting equipment to assure the safe operational condition of the equipment.

(2) The employer shall ensure that portable fire extinguishers are inspected, at least monthly, in accordance with General Industry Safety Standard Part 8 "Portable Fire Extinguishers," as referenced in R 408.17302.

(3) The employer shall ensure that fire fighting equipment that is in damaged or unserviceable condition is removed from service and replaced.

R 408.17314 Personal protective equipment generally.

Rule 7314. (1) The requirements in these rules apply to those employees who perform interior structural fire fighting. The requirements do not apply to employees who use fire extinguishers or standpipe systems to control or extinguish fires only in the incipient stage.

(2) An employer shall provide, and ensure the use of protective clothing that is in compliance with the requirements of this part. An employer shall provide the clothing without cost to an employee. An employer shall assure that protective clothing ordered or purchased after March 1, 1984, meets the requirements contained in this part. As new equipment is provided, an employer shall assure that all fire brigade members wear the equipment when performing interior structural fire fighting. An employer shall provide foot and leg protection. An employer shall ensure that protective shoes or boots that are worn in combination with protective trousers meet the requirements of R 408.17316.

(3) The employer shall assure that protective clothing protects the head, body, and extremities, and consists of at least the following components:

- (a) Foot and leg protection.
- (b) Hand protection.
- (c) Body protection.
- (d) Face, eye, and head protection.

R 408.17315 Foot and leg protection.

Rule 7315. (1) Foot and leg protection shall be provided and may be achieved by either of the following methods:

- (a) Fully extended boots which provide protection for the legs.

(b) Protective shoes or boots worn in combination with protective trousers that meet the requirements of R 408.17316.

(2) An employer shall ensure that protective footwear meets the requirements of NFPA 1971 “Standard on protective ensemble for structural fire fighting and proximity fire fighting,” 1997 edition, as adopted in R 408.17302.

R 408.17316. Body protection.

Rule 7316. (1) Body protection shall be coordinated with foot and leg protection to ensure full body protection for the wearer, which shall be achieved by 1 of the following methods:

(a) Wearing of a fire-resistive coat meeting the requirements of subrule (2) of this rule in combination with fully extended boots meeting the requirements of R 408.17315.

(b) Wearing of fire-resistive coat in combination with protective trousers both of which meet the requirements of subrule (2) of this rule.

(2) The performance, construction, and testing of fire-resistive coats and protective trousers shall be at least equivalent to the requirements of NFPA 1971 “Standard on protective ensemble for structural fire fighting and proximity fire fighting,” 1997 edition, as adopted in R 408.17302.

R 408.17317 Hand protection.

Rule 7317. Hand protection shall consist of protective gloves or a glove system that will provide protection against cuts, punctures, and heat penetration. Gloves or a glove system shall meet the requirements of NFPA 1971 “Standard on protective ensemble for structural fire fighting and proximity fire fighting,” 1997 edition, as adopted in R 408.17302.

R 408.17318 Head, eye, and face protection.

Rule 7318. (1) Head protection shall consist of a protective head device that has ear flaps and a chin strap that meet the performance, construction, and testing requirements of NFPA 1971 “Standard on protective ensemble for structural fire fighting and proximity fire fighting,” 1997 edition, as adopted in R 408.17302.

(2) Protective eye and face devices that comply with General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.17302, shall be used by fire brigade members when performing operations where the hazards of flying or falling materials are present and might cause eye and face injuries.

(3) Full facepieces, helmets, or hoods of breathing apparatus that meet the requirements of General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.17302, are acceptable as meeting the eye and face protection requirements of this part.

(4) Protective eye and face devices provided as accessories to protective head devices, face shields are permitted if the devices meet the requirements of General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.17302.

R 408.17320 Respiratory protection devices.

Rule 7320. (1) An employer shall ensure that respirators are provided to, and used by, each fire brigade member, and that the respirators meet the requirements of Occupational Health Standard Part 451 “Respiratory Protection,” as referenced in R 408.17302, for each employee required to use a respirator.

(2) Self-contained breathing apparatus shall be provided with an indicator that automatically sounds an audible alarm when the remaining service life of the apparatus is reduced to within a range of 20% to 25% of its rated service time.

(3) An employer shall ensure that self-contained breathing apparatus ordered or purchased after July 1, 1981, for use by fire brigade members performing interior structural fire fighting operations, are of the pressure-demand or other positive-pressure type. Effective July 1, 1983, only pressure-demand or other positive-pressure self-contained breathing apparatus shall be worn by fire brigade members performing interior structural fire fighting.

(4) Subrule (3) of this rule does not prohibit the use of a self-contained breathing apparatus if the apparatus can be switched from a demand mode to a positive-pressure mode. However, such apparatus shall be in the positive-pressure mode when fire brigade members are performing interior structural fire fighting operations.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION SAFETY STANDARDS

Filed with the Secretary of State on May 21, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306.

Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 19 and 21 of 1974 PA 154, MCL 408.1019 and 408.1021 and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.4160 and R 408.41610 of the Michigan Administrative Code are amended, R 408.41605 is added, and R 408.41625, R 408.41626, R 408.41627, R 408.41628, R 408.41629, R 408.41630, R 408.41631, R 408.41632, R 408.41633, R 408.41634, R 408.41635, R 408.41636, R 408.41637, R 408.41638, R 408.41639, R 408.41640, R 408.41641, R 408.41642, R 408.41643, R 408.41644, R 408.41645, R 408.41646, R 408.41647, R 408.41648, R 408.41649, R 408.41650, R 408.41651, R 408.41652, R 408.41653, R 408.41654, R 408.41655, R 408.41656, R 408.41657, and R 408.41658 are rescinded, as follows:

PART 16. POWER TRANSMISSION AND DISTRIBUTION

R 408.41601 Application.

Rule 1601. (1) The occupational safety and health standards contained in this part apply to the construction of electric transmission and distribution lines and equipment.

(2) As used in this part, the term "construction" includes the erection of new electric transmission and distribution lines and equipment and the alteration, conversion, and improvement of existing electric transmission and distribution lines and equipment.

(3) Existing electric transmission and distribution lines and electrical equipment need not be modified to conform to the requirements of applicable standards in this part until such work as described in subrule (2) of this rule is to be performed on such lines or equipment.

(4) The standards set forth in this part provide minimum requirements for safety and health. Employers may require adherence to additional standards which are not in conflict with the standards contained in this part.

(5) This standard does not apply to communication lines defined as the conductors and their supporting or containing structures that are used for public or private signal or communication

service, that operate at potentials not exceeding 400 volts to ground or 750 volts between any 2 points of the circuit, and the transmitted power of which does not exceed 150 watts. When operating at less than 150 volts, no limit is placed on the capacity of the system. Telephone, telegraph, railroad signal, data, clock, fire, police-alarm, community television antenna, and other systems conforming with this subrule are examples of communication lines. Lines used for signaling purposes, but not included in this definition, are considered as supply lines of the same voltage and are to be so run.

R 408.41605 Adoption of OSHA rules.

Rule 1605. (1) The following provisions of the occupational safety and health administration, (OSHA) regulations, except as amended in these rules, are adopted by reference in these rules:

- (a) 29 C.F.R. §1926.950 “General.”
 - (b) 29 C.F.R. §1926.951 “Medical services and first aid.”
 - (c) 29 C.F.R. §1926.952 “Job briefing.”
 - (d) 29 C.F.R. §1926.953 “Enclosed spaces.”
 - (e) 29 C.F.R. §1926.954 “Personal protective equipment.”
 - (f) 29 C.F.R. §1926.955 “Portable ladders and platforms.”
 - (g) 29 C.F.R. §1926.956 “Hand and portable power equipment.”
 - (h) 29 C.F.R. §1926.957 “Live-line tools.”
 - (i) 29 C.F.R. §1926.958 “Materials handling and storage.”
 - (j) 29 C.F.R. §1926.959 “Mechanical equipment.”
 - (k) 29 C.F.R. §1926.960 “Working on or near exposed energized parts.”
 - (l) 29 C.F.R. §1926.961 “Deenergizing lines and equipment for employee protection.”
 - (m) 29 C.F.R. §1926.962 “Grounding for the protection of employees.”
 - (n) 29 C.F.R. §1926.963 “Testing and test facilities.”
 - (o) 29 C.F.R. §1926.964 “Overhead lines and live-line barehand work.”
 - (p) 29 C.F.R. §1926.965 “Underground electrical installations.”
 - (q) 29 C.F.R. §1926.966 “Substations.”
 - (r) 29 C.F.R. §1926.967 “Special conditions.”
 - (s) 29 C.F.R. §1926.968 “Definitions.”
 - (t) Appendix A to Subpart V of Part 1926 “Reserved.”
 - (u) Appendix B to Subpart V of Part 1926 “Working on Exposed Energized Parts.”
 - (v) Appendix C to Subpart V of Part 1926 “Protection from Hazardous Differences in Electric Potential.”
 - (w) Appendix D to Subpart V of Part 1926 “Methods of Inspecting and Testing Wood Poles.”
 - (x) Appendix E to Subpart V of Part 1926 “Protection from Flames and Electric Arcs.”
 - (y) Appendix F to Subpart V of Part 1926 “Work-Positioning Equipment Inspection Guidelines.”
 - (z) Appendix G to Subpart V of Part 1926 “Reference Documents.”
- (2) All of the following provisions apply with respect to the regulations adopted in subrule (1) of this rule and are referenced in R 408.41610:
- (a) A reference to 29 C.F.R. §1926.50 “Medical services and first aid,” means Construction Safety Standard (CS) Part 1 “General Rules.”
 - (b) A reference to 29 C.F.R. §1926.54. “Nonionizing radiation,” means Occupational Health Standard (OH) Part 681 “Radiation of Construction: Ionizing and Nonionizing.”
 - (c) A reference to 29 C.F.R. §1926.56 “Illumination,” means CS Part 1 “General Rules.”

(d) A reference to 29 C.F.R. §1926.59 “Hazard Communication,” means CS Part 42 “Hazard Communication.”

(e) A reference to 29 C.F.R. §1926.95 “Criteria for personal protective equipment,” means CS Part 6 “Personal Protective Equipment.”

(f) A reference to 29 C.F.R. §1926.100 “Head protection,” means CS Part 6 “Personal Protective Equipment.”

(g) A reference to 29 C.F.R. §1926.106 “Working over or near water,” means CS Part 6 “Personal Protective Equipment.”

(h) A reference to 29 C.F.R. §1926.200 “Accident prevention signs and tags,” means CS Part 22 “Signals, Signs, Tags, and Barricades.”

(i) A reference to 29 C.F.R. §1926.302 “Power-operated hand tools,” means CS Part 19 “Tools.”

(j) A reference to 29 C.F.R. §1926.453 “Aerial lifts,” means CS Part 32 “Aerial Work Platforms.”

(k) A reference to 29 C.F.R. §1926.502 “Fall protection systems criteria and practices,” means CS Part 45 “Fall Protection.”

(l) A reference to 29 C.F.R. §1926.1053 “Ladders,” means CS Part 11 “Fixed and Portable Ladders.”

(m) A reference to 29 C.F.R. §1910.97 “Nonionizing radiation,” means OH Part 382 “Nonionizing Radiation.”

(n) A reference to 29 C.F.R. §1910.135 “Head protection,” means General Industry Safety Standard (GI) Part 33 “Personal Protective Equipment.”

(o) A reference to 29 C.F.R. §1910.146 “Permit-required confined spaces,” means GI Part 90 “Permit-Required Confined Spaces,” and OH Part 490 “Permit-Required Confined Spaces.”

(p) A reference to 29 C.F.R. §1910.268 “Telecommunications,” means CS Part 30 “Telecommunications,” and GI Part 50 “Telecommunications.”

(q) A reference to 29 C.F.R. §1910.269 “Electric Power Generation, Transmission, and Distribution,” means GI Part 86 “Electric Power Generation, Transmission, and Distribution.”

(r) A reference to 29 C.F.R. §1910.1200 “Hazard Communication,” means GI Part 92 “Hazard Communication,” and OH Part 430 “Hazard Communication.”

(3) The provisions of the OSHA regulations adopted in these rules have the same force and effect as rules promulgated under Michigan occupational safety and health act, 1974 PA 154, MCL 408.1001 to 408.1094.

R 408.41610 Adopted and referenced standards.

Rule 1610. (1) The following federal occupational safety and health administration (OSHA) regulations, filed April 1, 2014, are adopted by reference in these rules:

(a) 29 C.F.R. §1926.950 “General.”

(b) 29 C.F.R. §1926.951 “Medical services and first aid.”

(c) 29 C.F.R. §1926.952 “Job briefing.”

(d) 29 C.F.R. §1926.953 “Enclosed spaces.”

(e) 29 C.F.R. §1926.954 “Personal protective equipment.”

(f) 29 C.F.R. §1926.955 “Portable ladders and platforms.”

(g) 29 C.F.R. §1926.956 “Hand and portable power equipment.”

(h) 29 C.F.R. §1926.957 “Live-line tools.”

(i) 29 C.F.R. §1926.958 “Materials handling and storage.”

(j) 29 C.F.R. §1926.959 “Mechanical equipment.”

- (k) 29 C.F.R. §1926.960 “Working on or near exposed energized parts.”
 - (l) 29 C.F.R. §1926.961 “Deenergizing lines and equipment for employee protection.”
 - (m) 29 C.F.R. §1926.962 “Grounding for the protection of employees.”
 - (n) 29 C.F.R. §1926.963 “Testing and test facilities.”
 - (o) 29 C.F.R. §1926.964 “Overhead lines and live-line barehand work.”
 - (p) 29 C.F.R. §1926.965 “Underground electrical installations.”
 - (q) 29 C.F.R. §1926.966 “Substations.”
 - (r) 29 C.F.R. §1926.967 “Special conditions.”
 - (s) 29 C.F.R. §1926.968 “Definitions.”
 - (t) Appendix A to Subpart V of Part 1926 “Reserved.”
 - (u) Appendix B to Subpart V of Part 1926 “Working on Exposed Energized Parts.”
 - (v) Appendix C to Subpart V of Part 1926 “Protection from Hazardous Differences in Electric Potential.”
 - (w) Appendix D to Subpart V of Part 1926 “Methods of Inspecting and Testing Wood Poles.”
 - (x) Appendix E to Subpart V of Part 1926 “Protection from Flames and Electric Arcs.”
 - (y) Appendix F to Subpart V of Part 1926 “Work-Positioning Equipment Inspection Guidelines.”
 - (z) Appendix G to Subpart V of Part 1926 “Reference Documents.”
- (2) The standards adopted in these rules are available from the United States department of labor, occupational safety and health administration website: www.osha.gov, at no charge as of the time of adoption of these rules.
- (3) The standards adopted in these rules are available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, Lansing, Michigan, 48909-8143.
- (4) The standards adopted in these rules may be obtained from the publisher or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, plus \$20.00 for shipping and handling.
- (5) The following Michigan occupational safety and health (MIOSHA) standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, as of the time of adoption of these rules, is 4 cents per page.
- (a) Construction Safety Standard Part 1 “General Rules,” R 408.40101 to R 408.40134.
 - (b) Construction Safety Standard Part 6 “Personal Protective Equipment,” R 408.40601 to R 408.40641.
 - (c) Construction Safety Standard Part 11 “Fixed and Portable Ladders,” R 408.41101 to R 408.41140
 - (d) Construction Safety Standard Part 19 “Tools,” R 408.41901 to R 408.41980.
 - (e) Construction Safety Standard Part 22 “Signals, Signs, Tags, and Barricades,” R 408.42201 to R 408.42243.
 - (f) Construction Safety Standard Part 30 “Telecommunications,” R 408.43001 to R 408.43006.
 - (g) Construction Safety Standard Part 32 “Aerial Work Platforms,” R 408.43201 to R 408.43220.
 - (h) Construction Safety Standard Part 42 “Hazard Communication,” R 408.44201 to R 408.44204.

- (i) Construction Safety Standard Part 45 “Fall Protection,” R 408.44501 to R 408.44502
- (j) General Industry Safety Standard Part 33 “Personal Protective Equipment,” R 408.13301 to R 408.13398.
- (k) General Industry Safety Standard Part 50 “Telecommunications,” R 408.15001 to R 408.15004.
- (l) General Industry Safety Standard Part 86 “Electric Power Generation, Transmission, and Distribution,” R 408.18601 to R 408.18602.
- (m) General Industry Safety Standard Part 90 “Permit-Required Confined Spaces,” R 408.19001 to R 408.19002.
- (n) General Industry Safety Standard Part 92 “Hazard Communication,” R 408.19201 to R 408.19204.
- (p) Occupational Health Standard Part 382 “Nonionizing Radiation,” R 325.60701 to R 325.60704.
- (q) Occupational Health Standard Part 430 “Hazard Communication,” R 325.77001 to R 325.77004.
- (r) Occupational Health Standard Part 490 “Permit-Required Confined Spaces,” R 325.63001 to R 325.63049.
- (s) Occupational Health Standard Part 681 “Radiation of Construction: Ionizing and Nonionizing,” R 325.68101 to R 325.68102.

R 408.41625 Rescinded.

R 408.41626 Rescinded.

R 408.41627 Rescinded.

R 408.41628 Rescinded.

R 408.41629 Rescinded.

R 408.41630 Rescinded.

R 408.41631 Rescinded.

R 408.41632 Rescinded.

R 408.41633 Rescinded.

R 408.41634 Rescinded.

R 408.41635 Rescinded.

R 408.41636 Rescinded.

R 408.41637 Rescinded.

R 408.41638 Rescinded.

R 408.41639 Rescinded.

R 408.41640 Rescinded.

R 408.41641 Rescinded.

R 408.41642 Rescinded.

R 408.41643 Rescinded.

R 408.41644 Rescinded.

R 408.41645 Rescinded.

R 408.41646 Rescinded.

R 408.41647 Rescinded.

R 408.41648 Rescinded.

R 408.41649 Rescinded.

R 408.41650 Rescinded.

R 408.41651 Rescinded.

R 408.41652 Rescinded.

R 408.41653 Rescinded.

R 408.41654 Rescinded.

R 408.41655 Rescinded.

R 408.41656 Rescinded.

R 408.41657 Rescinded.

R 408.41658 Rescinded.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

GENERAL INDUSTRY SAFETY STANDARDS

Filed with the Secretary of State on May 21, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16 and 21 of 1974 PA 154, MCL 408.1016 and 408.1021, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.13301a, R 408.13385, R 408.13387, and R 408.13387a of the Michigan Administrative Code are amended and R 408.13388 and R 408.13389 of the Code are added, as follows:

PART 33. PERSONAL PROTECTIVE EQUIPMENT

R 408.13301a Adopted and referenced standards.

Rule 3301a. (1) The following standards are adopted by reference in these rules and are available from IHS Global, 15 Inverness Way East, Englewood, Colorado, 80112, USA, telephone number: 1-800-854-7179 or via the internet at website: www.global.ihs.com, at a cost of the time of adoption of these rules, as stated in this subrule.

(a) American National Standards Institute Standard (ANSI) Z-41, "American National Standard for Personal Protection -- Protective Footwear," 1999 edition. Cost \$25.00.

(b) ANSI Z-87.1 "American National Standard Practice for Occupational and Educational Eye and Face Protection," 2003 edition. Cost \$82.00.

(c) ANSI Z-87.1 "American National Standard Practice for Occupational and Educational Eye and Face Protection," 1989 edition, revised 1998. Cost \$148.00.

(d) ANSI Z-87.1 "American National Standard Practice for Occupational and Educational Eye and Face Protection," 1989 edition. Cost: \$148.00.

(e) American Society of Testing Materials Standard (ASTM) D-120, "Standard Specification for Rubber Insulating Gloves," 2009 edition. Cost: \$58.00.

(f) ASTM D-178, "Standard Specification for Rubber Insulating Matting," 2001 edition with 2010 supplement. Cost \$47.00.

(g) ASTM D-178, "Standard Specification for Rubber Insulating Matting," 1993 edition. Cost \$56.00.

(h) ASTM D-1048, "Standard Specification for Rubber Insulating Blankets," 2012 edition. Cost \$47.00.

(i) ASTM D-1049, "Standard Specification for Rubber Insulating

- Covers,” 1998 edition with 2010 supplement. Cost \$47.00.
- (j) ASTM D-1050 “Standard Specification for Rubber Insulating Line Hose,” 2005 edition with 2011 supplement. Cost \$47.00.
- (k) ASTM D-1051 “Standard Specification for Rubber Insulating Sleeves,” 2008 edition. Cost \$58.00.
- (l) ASTM F-478 “Standard Specification for In-Service Care of Insulating Line Hose and Covers,” 2009 edition. Cost \$52.00.
- (m) ASTM F-479 “Standard Specification for In-Service Care of Insulating Blankets,” 2006 edition with 2011 supplement. Cost: \$47.00.
- (n) ASTM F-496 “Standard Specification for In-Service Care of Insulating Gloves and Sleeves,” 2008 edition. Cost \$58.00.
- (o) ASTM F-2412, “Standard Test Methods for Foot Protection,” 2005 edition. Cost \$64.00.
- (p) ASTM F-2413, “Standard Specification For Performance Requirements For Protective Footwear,” 2005 edition. Cost \$56.00.
- (q) ASTM F-819 “Standard Terminology Relating to Electrical Protective Equipment for Workers,” 2010 edition. Cost \$41.00.
- (r) ASTM F-1236 “Standard Guide for Visual Inspection of Electrical Protective Rubber Products,” 1996 edition with 2012 supplement. Cost: \$47.00.
- (s) Institute of Electrical and Electronics Engineers IEEE Standard 516 “Guide for Maintenance Methods on Energized Power Lines,” 2009 edition. Cost: \$135.00.
- (2) The following standards are adopted by reference in these rules and are available from Document Center, Inc., Customer Service, 121 Industrial Road, Suite 8, Belmont, CA 94002, USA, telephone: (650) 591-7600 or via the internet at website: www.document-center.com; at a cost as of the time of adoption of these rules, as stated in this subrule.
- (a) ANSI Z-89.1 "American National Standard for Industrial Head Protection," 2009 edition. Cost \$61.25.
- (b) ANSI Z-89.1, "American National Standard for Industrial Head Protection," 2003 edition. Cost: \$20.00.
- (c) ANSI Z-89.1 "American National Standard for Personnel Protection—Protective Headwear for Industrial Workers--Requirements," 1997 edition. Cost: \$20.00.
- (3) The standards adopted in these rules are available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143.
- (4) Copies of the standards adopted in these rules may be obtained from the publisher or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.
- (5) The following Michigan occupational safety and health standards (MIOSHA) are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of licensing and regulatory affairs, MIOSHA Regulatory Services section, 7150 Harris Drive, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, at the time of adoption of these rules, is 4 cents per page.
- (a) Construction Safety Standard Part 45 “Fall Protection,” R 408.44501 to R 408.44502.
- (b) Occupational Health Standard Part 380 “Occupational Noise Exposure” R 325.60101 to R 325.30128.

(c) Occupational Health Standard Part 451 “Respiratory Protection,” R 325.60051 to R 325.60052.

(d) General Industry Safety Standard Part 86 “Electric Power Generation, Transmission, and Distribution,” R 408.18601 to R 408.18605.

(6) The appendices are informational only and are not intended to create any additional obligations or requirements not otherwise imposed or to detract from any established obligations or requirements.

R 408.13385. Use of foot protection.

Rule 3385. (1) An employer shall ensure that each affected employee shall wear protective footwear when working in areas where any of the following occur:

(a) When the use of protective footwear will protect the affected employee from an electrical hazard, such as a static-discharge or electric-shock hazard, that remains after the employer takes other necessary protective measures.

(b) There is a danger of foot injuries due to falling or rolling objects.

(c) There is a danger of objects piercing the sole of the shoe.

(2) An employer shall ensure that safety shoes and boots that are not worn over shoes and that are worn by more than 1 employee are maintained, cleaned, and sanitized inside and out before being issued to another employee

ELECTRICAL PROTECTIVE EQUIPMENT

R 408.13387 Design requirements for specific types of electrical protective equipment.

Rule 3387. (1) Rubber insulating blankets, rubber insulating matting, rubber insulating covers, rubber insulating line hose, rubber insulating gloves, and rubber insulating sleeves shall meet the requirements of this rule.

(a) Blankets, gloves, and sleeves shall be produced by a seamless process.

(b) Each item shall be clearly marked as follows:

(i) Class 00 equipment shall be marked class 00.

(ii) Class 0 equipment shall be marked class 0.

(iii) Class 1 equipment shall be marked class 1.

(iv) Class 2 equipment shall be marked class 2.

(v) Class 3 equipment shall be marked class 3.

(vi) Class 4 equipment shall be marked class 4.

(vii) Non-ozone-resistant equipment shall be marked type I.

(viii) Ozone-resistant equipment shall be marked type II.

(ix) Other relevant markings, such as the manufacturer’s identification and the size of the equipment, may also be provided.

(c) Markings shall be nonconducting and shall be applied in such a manner as not to impair the insulating qualities of the equipment.

(d) Markings on gloves shall be confined to the cuff portion of the glove.

(3) Electrical requirements shall be all of the following:

(a) Equipment shall be capable of withstanding the alternating current proof-test voltage specified in Table A or the direct current proof-test voltage specified in Table B. All of the following apply:

(i) The proof test shall reliably indicate that the equipment can withstand the voltage involved.

(ii) The test voltage shall be applied continuously for 3 minutes for equipment other than matting and shall be applied continuously for 1 minute for matting.

(iii) Gloves shall also be capable of separately withstanding the alternating current proof-test voltage specified in Table A after a 16-hour water soak.

(b) When the alternating current proof test is used on gloves, the 60-hertz proof-test current shall not exceed the values specified in Table A at any time during the test period. All of the following apply:

(i) If the alternating current proof test is made at a frequency other than 60 hertz, the permissible proof-test current shall be computed from the direct ratio of the frequencies.

(ii) For the test, gloves (right side out) shall be filled with tap water and immersed in water to a depth that is in accordance with Table C. Water shall be added to or removed from the glove, as necessary, so that the water level is the same inside and outside the glove.

(iii) After the 16-hour water soak specified in this subrule, the 60-hertz proof-test current shall not exceed the values given in Table A by more than 2 milliamperes.

(c) Equipment that has been subjected to a minimum breakdown voltage test shall not be used for electrical protection. See subrule (3) of this rule.

(d) Material used for Type II insulating equipment shall be capable of withstanding an ozone test, with no visible effects. The ozone test shall reliably indicate that the material will resist ozone exposure in actual use. Any visible signs of ozone deterioration of the material, such as checking, cracking, breaks, or pitting, is evidence of failure to meet the requirements for ozone-resistant material. See subrule (3) of this rule.

(4) Workmanship and finish shall comply with both of the following:

(a) Equipment shall be free of physical irregularities that can adversely affect the insulating properties of the equipment and that can be detected by the tests or inspections required by these rules.

(b) Surface irregularities that may be present on all rubber goods, because of imperfections on forms or molds or because of inherent difficulties in the manufacturing process, and that may appear as indentations, protuberances, or imbedded foreign material are acceptable under the following conditions:

(i) The indentation or protuberance blends into a smooth slope when the material is stretched.

(ii) Foreign material remains in place when the insulating material is folded and stretches with the insulating material surrounding it.

(5) Rubber insulating equipment meeting the national consensus standards in Table 4 is considered to be in compliance with the performance requirements of these rules.

TABLE 2
AMERICAN SOCIETY OF TESTING MATERIALS STANDARDS

STANDARD TITLE	ASTM NUMBER	EDITION	SUPPLEMENT
Standard Specification for Rubber Insulating Gloves	D-120	2009	-
Standard Specification for Rubber Insulating Matting	D-178	2001	2010
Standard Specification for Rubber Insulating Blankets	D-1048	2012	-
Standard Specification for Rubber Insulating Covers	D-1049	1998	2010
Standard Specification for Rubber Insulating Line Hose	D-1050	2005	2011
Standard Specification for Rubber Insulating Sleeves	D-1051	2008	-
These standards contain specifications for conducting the various tests required in these rules. For example, the alternating current and direct current proof tests, the breakdown test, the water-soak procedure, and the ozone test described in this rule are described in detail in these ASTM standards.			
ASTM F-1236 “Standard Guide for Visual Inspection of Electrical Protective Rubber Products,” 1996 Edition with 2012 supplement, as adopted in R 408.13301a, presents methods and techniques for the visual inspection of electrical protective equipment made of rubber. This guide also contains descriptions and photographs of irregularities that can be found in this equipment			
ASTM F-819 “Standard Terminology Relating to Electrical Protective Equipment for Workers,” 2010 edition, as adopted in R 408.13301a, includes definitions of terms relating to the electrical protective equipment covered in these rules.			

R 408.13387a. Electrical protective equipment.

Rule 3387a. (1) Material other than rubber that offers protection equivalent to or greater than rubber may be used if the material is certified to meet the appropriate ASTM standard tests.

(2) An insulated blanket, glove, or sleeve shall be capable of withstanding the voltage to which it may be subjected.

(3) Exposed conductors or equipment, or both, except for conductors or equipment being directly worked on, that is energized from 750 volts to 28,000 volts phase to ground and that an employee may reach into or touch shall be isolated or covered with at least 1 of the following:

- (a) An insulating blanket.
- (b) An insulating hood.
- (c) An insulating line hose.
- (d) An insulating barrier.

(4) An employee shall use insulating gloves and sleeves capable of withstanding the imposed voltage when performing any of the following activities:

(a) Working directly on, or within reaching distance of, a conductor or equipment at a nominal 750 volts or more phase to ground, except when using barehanded techniques or a hot stick.

Sleeves are not required for an employee who performs routine switching operations in a substation or powerhouse. An employee who uses gloves and sleeves and works directly on or within reaching distance of a conductor or equipment energized at more than 5,000 volts phase to ground shall do so from an insulated platform or board or an aerial device that has an insulated basket.

(b) Connecting or disconnecting primary neutrals, pole ground wires, or other conductors normally connected to static wires or energized equipment, except that gloves and sleeves shall not be worn while connecting and disconnecting a service neutral or secondary neutral.

(c) Working on a de-energized conductor that extends into an area in which contact may be made with an energized conductor or exposed parts of energized equipment, unless the conductor is grounded or isolated. Insulating sleeves are optional at voltages of less than 750 volts phase to ground.

(5) An employee shall use insulating gloves capable of withstanding the imposed voltage when performing either of the following activities:

(a) When working with a powered or manual hole digger while using booms or using winch lines to install or remove poles or equipment where the hole digger may contact conductors or equipment energized at a voltage of 300 volts or more phase to ground. An employee shall not use the gloves while in the enclosed cab of the equipment.

(b) When working directly on a conductor or equipment energized at a voltage of more than 240 volts phase to ground. This does not include the use of test equipment.

R 408.13388 Design requirements for other types of electrical protective equipment.

Rule 3388. (1) The following requirements apply to the design and manufacture of electrical protective equipment that is not covered by R 408.40650:

(2) Insulating equipment used for the protection of employees shall be capable of withstanding, without failure, the voltages that may be imposed upon it.

Note 1 to subrule (2): These voltages include transient over-voltages, such as switching surges, as well as nominal line voltage. See General Industry Safety Standard Part 86 “Electric Power Generation, Transmission, and Distribution,” Appendix B, as referenced in R 408.13301a, for a discussion of transient over-voltages on electric power transmission and distribution systems.

Note 2 to subrule (2): See IEEE 516 “Guide for Maintenance Methods on Energized Power Lines,” 2009 edition, as adopted in R 408.13301a, for methods of determining the magnitude of transient over-voltages on an electrical system and for a discussion comparing the ability of insulation equipment to withstand a transient overvoltage based on its ability to withstand alternating current voltage testing.

(3) Equipment current shall comply with both of the following:

(a) Protective equipment used for the primary insulation of employees from energized circuit parts shall be capable of passing a current test when subjected to the highest nominal voltage on which the equipment is to be used.

(b) When insulating equipment is tested pursuant to these rules, the equipment current may not exceed 1 microampere per kilovolt of phase-to-phase applied voltage.

Note 1 to subrule (3): This rule shall apply to equipment that provides primary insulation of employees from energized parts. It does not apply to equipment used for secondary insulation or equipment used for brush contact only.

Note 2 to subrule (3): For alternating current excitation, this current consists of the following three components:

(a) Capacitive current because of the dielectric properties of the insulating material itself.

(b) Conduction current through the volume of the insulating equipment.

(c) Leakage current along the surface of the tool or equipment.

The conduction current shall be normally negligible. For clean, dry insulating equipment, the leakage current shall be small, and the capacitive current shall predominate.

Note 3 to subrule (3): Plastic guard equipment is considered to conform to the performance requirements of this rule, if it meets, and is used in accordance with ASTM F-712 “Standard Test Methods and Specifications for Electrically Insulating Plastic Guard Equipment for Protection of Workers,” 2006 edition with 2011 supplement, as adopted in R 408.13301a.

R 408.13389 In-service care and use of electrical protective equipment.

Rule 3389. (1) Electrical protective equipment shall be maintained in a safe, reliable condition.

(2) The following specific requirements apply to rubber insulating blankets, rubber insulating covers, rubber insulating line hose, rubber insulating gloves, and rubber insulating sleeves.

(3) Maximum use voltages shall conform to those listed in Table D.

(4) An employer shall ensure that insulating equipment is inspected for damage before each day’s use and immediately following any incident that can reasonably be suspected of causing damage. Insulating gloves shall be given an air test, along with the inspection.

Note to subrule (4): ASTM F-1236 “Standard Guide for Visual Inspection of Electrical Protective Rubber Products,” 1996 Edition with 2012 supplement, as adopted in R 408.13301a, presents methods and techniques for the visual inspection of electrical protective equipment made of rubber. This guide also contains descriptions and photographs of irregularities that can be found in this equipment.

(5) Insulating equipment with any of the following defects shall not be used.

(a) A hole, tear, puncture, or cut.

(b) Ozone cutting or ozone checking, that is, a series of interlacing cracks produced by ozone on rubber under mechanical stress.

(c) An embedded foreign object.

(d) Any of the following texture changes:

(i) Swelling.

(ii) Softening.

(iii) Hardening.

(iv) Becoming sticky or inelastic.

(v) Any other defect that damages the insulating properties.

(6) An employer shall ensure that insulating equipment found to have other defects that might affect its insulating properties is removed from service and returned for testing under subrules (10) and (11) of this rule.

(7) An employer shall ensure that insulating equipment is cleaned as needed to remove foreign substances.

(8) Insulating equipment shall be stored in a location and in a manner as to protect it from all of the following:

(a) Light.

(b) Temperature extremes.

(c) Excessive humidity.

(d) Ozone.

(e) Other damaging substances and conditions.

(9) Protector gloves shall be worn over insulating gloves, except under the following conditions:

(a) Protector gloves need not be used with class 0 gloves, under limited-use conditions, when small equipment and parts manipulation necessitate unusually high finger dexterity.

Note to subrule (9)(a): Persons inspecting rubber insulating gloves used under these conditions shall take extra care in visually examining them. Employees using rubber insulating gloves under these conditions shall take extra care to avoid handling sharp objects.

(b) If the voltage does not exceed 250 volts, ac, or 375 volts, direct current, protector gloves shall not be used with class 00 gloves, under limited-use conditions, when small equipment and parts manipulation necessitate unusually high finger dexterity.

Note to subrule (9)(b): Persons inspecting rubber insulating gloves used under these conditions shall take extra care in visually examining them. Employees using rubber insulating gloves under these conditions shall take extra care to avoid handling sharp objects.

(c) Any other class of glove may be used without protector gloves, under limited-use conditions, when small equipment and parts manipulation necessitate unusually high finger dexterity but only if the employer can demonstrate that the possibility of physical damage to the gloves is small and if the class of glove is 1 class higher than that required for the voltage involved.

(d) Insulating gloves that have been used without protector gloves may not be reused until they have been tested under the provisions of this rule.

(10) Electrical protective equipment shall be subjected to periodic electrical tests. Test voltages and the maximum intervals between tests shall be pursuant to Table D and Table E.

(11) The test method used in this rule shall reliably indicate whether the insulating equipment can withstand the voltages involved.

Note to subrule (11): The standard electrical test methods considered as meeting this requirement are listed in Table 3.

(12) Insulating equipment failing to pass inspections or electrical tests shall not be used by employees, except as follows:

(a) Rubber insulating line hose may be used in shorter lengths with the defective portion cut off.

(b) Rubber insulating blankets may be salvaged by severing the defective area from the undamaged portion of the blanket. The resulting undamaged area shall not be smaller than 560 millimeters by 560 millimeters (22 inches by 22 inches) for class 1, 2, 3, and 4 blankets.

(c) Rubber insulating blankets shall be repaired using a compatible patch that results in physical and electrical properties equal to those of the blanket.

(d) Rubber insulating gloves and sleeves with minor physical defects, such as small cuts, tears, or punctures, shall be repaired by the application of a compatible patch. Also, rubber insulating gloves and sleeves with minor surface blemishes shall be repaired with a compatible liquid compound. The repaired area shall have electrical and physical properties equal to those of the surrounding material. Repairs to gloves shall be permitted only in the area between the wrist and the reinforced edge of the opening.

(13) An employer shall ensure that repaired insulating equipment is retested before it is used by employees.

(14) The employer shall certify that equipment has been tested pursuant to the requirements of this rule. The certification shall identify the equipment that passed the test and the date it was tested and shall be made available upon request to the department of licensing and regulatory affairs director and to MIOSHA employees or their authorized representatives.

Note to subrule (14): Marking equipment with, and entering onto logs, the results of the tests and the dates of testing are acceptable means of meeting the certification requirement.

TABLE 3
AMERICAN SOCIETY OF TESTING MATERIALS STANDARDS

STANDARD TITLE	ASTM NUMBER	EDITION	SUPPLEMENT
Standard Specification for Rubber Insulating Gloves	D-120	2009	-
Standard Specification for Rubber Insulating Matting	D-178	2001	2010
Standard Specification for Rubber Insulating Blankets	D-1048	2012	
Standard Specification for Rubber Insulating Covers	D-1049	1998	2010
Standard Specification for Rubber Insulating Line Hose	D-1050	2005	2011
Standard Specification for Rubber Insulating Sleeves	D-1051	2008	-
Standard Specification for In-Service Care of Insulating Line Hose and Covers	F-478	2009	-
Standard Specification for In-Service Care of Insulating Blankets	F-479	2006	2011
Standard Specification for In-Service Care of Insulating Gloves And Sleeves	F-496	2008	-

TABLE A
ALTERNATING CURRENT PROOF-TEST REQUIREMENTS

CLASS OF EQUIPMENT	PROOF-TEST VOLTAGE RMS V	Maximum Proof-Test Current, mA (Globes Only)			
		300-mm (12 in.) Glove	360-mm (14 in.) Glove	410-mm (16 in.) Glove	460-mm (18 in.) Glove
00	2,500	8	12	-	-
0	5,000	8	12	14	16
1	10,000	-	14	16	18
2	20,000	-	16	18	20
3	30,000	-	18	20	22
4	40,000	-	-	22	24

TABLE B
DIRECT CURRENT PROOF-TEST REQUIREMENTS

CLASS OF EQUIPMENT	PROOF-TEST VOLTAGE
00	10,000
0	20,000
1	40,000
2	50,000
3	60,000
4	70,000

NOTE: The dc voltages listed in this table are not appropriate for proof testing rubber insulating line hose or covers. For this equipment, dc proof tests shall use a voltage high enough to indicate that the equipment can be safely used at the voltages listed in Table D.

See ASTM D-1050 “Standard Specification for Rubber Insulating Line Hose,” 2005 edition with 2011 supplement and ASTM D-1049 “Standard Specification for Rubber Insulating Covers,” 1998 edition with 2010 supplement, as adopted in R 408.13301a, for further information on proof tests for rubber insulating line hose and covers, respectively.

TABLE C
GLOVE TESTS – WATER LEVEL^{1, 2}

CLASS OF GLOVE	ALTERNATING CURRENT PROOF TEST		DIRECT CURRENT PROOF TEST	
	mm	in	mm	in
00	38	1.5	38	1.5
0	38	1.5	38	1.5
1	38	1.5	51	2.0
2	64	2.5	76	3.0
3	89	3.5	102	4.0
4	127	5.0	153	6.0

¹ The water level is given as the clearance from the reinforced edge of the glove to the water line, with a tolerance of ± 13 mm. (± 0.5 in.).

² If atmospheric conditions make the specified clearances impractical, the clearances may be increased by a maximum of 25 mm. (1 in.).

TABLE D
RUBBER INSULATING EQUIPMENT, VOLTAGE REQUIREMENTS

CLASS OF EQUIPMENT	MAXIMUM USE VOLTAGE ¹ ALTERNATING CURRENT RMS	RETEST VOLTAGE ² ALTERNATING CURRENT RMS	RETEST VOLTAGE ² DIRECT CURRENT AVG
00	500	2,500	10,000
0	1,000	5,000	20,000
1	7,500	10,000	40,000
2	17,000	20,000	50,000
3	26,500	30,000	60,000
4	36,000	40,000	70,000

¹ The maximum use voltage is the ac voltage (rms) classification of the protective equipment that designates the maximum nominal design voltage of the energized system that may be safely worked. The nominal design voltage is equal to the phase-to-phase voltage on multiphase circuits. However, the phase-to-ground potential is considered to be the nominal design voltage under the following conditions:

(1) There is no multiphase exposure in a system area and the voltage exposure is limited to the phase-to-ground potential, or

(2) The electric equipment and devices are insulated or isolated or both so that the multiphase exposure on a grounded wye circuit is removed.

² The proof-test voltage shall be applied continuously for at least 1 minute, but no more than 3 minutes.

TABLE E
RUBBER INSULATING EQUIPMENT TEST INTERVALS

TYPE EQUIPMENT	OF	WHEN TO TEST
Rubber insulating line hose		Upon indication that insulating value is suspect and after repair.
Rubber insulating covers		Upon indication that insulating value is suspect and after repair.
Rubber insulating blankets		Before first issue and every 12 months thereafter; ¹ upon indication that insulating value is suspect; and after repair
Rubber insulating gloves		Before first issue and every 6 months thereafter; ¹ upon indication that insulating value is suspect; after repair; and after use without protectors
Rubber insulating sleeves		Before first issue and every 12 months thereafter; ¹ upon indication that insulating value is suspect; and after repair

¹ If the insulating equipment has been electrically tested but not issued for service, the insulating equipment shall not be placed into service unless it has been electrically tested within the previous 12 months.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

GENERAL INDUSTRY SAFETY STANDARDS

Filed with the Secretary Of State May 22, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 16 and 21 of 1974 PA 154, MCL 408.1016 and 408.1021, and Executive Reorganization Order Nos. 1996-2, 2003-18 2003-1, 2008-4, and 2011-4, MCL 408.1016, 408.1021, 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.14511, R 408.14522, and R 408.14555 of the Michigan Administrative Code are amended, and R 408.14502 is added, and R 408.14527 is rescinded, as follows:

PART 45. DIE CASTING

R 408.14502 MIOSHA referenced standards.

Rule 4502. The following Michigan occupational safety and health (MIOSHA) standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, as of the time of adoption of these rules, is 4 cents per page.

(a) General Industry Safety Standard Part 23 “Hydraulic Power Presses,” R 408.12301 to R 408.12373.

(b) General Industry Safety Standard Part 33 “Personal Protective Equipment,” R 408.13301 to R 408.13398.

R 408.14511 Personal protective equipment.

Rule 4511. (1) Eye protection with side shields shall be provided and used by an employee operating a die casting machine or tending a melting or holding furnace, as prescribed in General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.14502.

(2) Except for the operator of a cold chamber machine, a face shield shall be provided and used by an employee handling molten metals or tending a furnace, as prescribed in General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.14502.

(3) An employee manually tending a die casting machine or a melting or holding furnace shall wear clothing which will cover the arms to hands, legs to feet and have the feet covered with hard soled shoes. Spats or leggings shall be provided to the employee, at no expense to the

employee and used by an employee manually ladling a cold chamber die casting machine, tending a melting or holding furnace or transferring molten metal unless the employee wears moulders shoes with pant legs covering the tops.

(4) Other personal protective equipment required for the hazards as described in General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.14502, shall be provided by the employer to an employee, at no expense to the employee.

(5) Open sandals, cloth shoes, exposed rings, or necklaces shall not be worn in the work areas. Rings covered by gloves or tape shall not be regarded as exposed.

R 408.14522 Machine controls.

Rule 4522. (1) An operating control on a machine, except a stop button, shall be so located or guarded to prevent accidental contact.

(2) A machine requiring more than 1 operator shall have controls for each operator which shall be activated concurrently before the machine will operate as prescribed in R 408.14541(1).

(3) A machine shall be provided at each work station with a non-concealed emergency stop device distinguished by its size or color.

(4) A machine shall be equipped so that upon power failure it will not automatically restart upon restoration of the power.

(5) An automatic die casting machine shall be equipped with a time delay device or circuit that will prevent the machine from recycling if more than 2 seconds delay occurs between the automatic demand for recycle and its commencement. It shall be necessary for the operator to reset the controls before the machine will restart. Other equivalent means may be used that will prevent recycling until the machine is cleared if the intent of this subrule is met.

(6) A safety interlock, exposed to contact, shall be guarded against accidental actuation.

R 408.14527 Rescinded.

R 408.14555 Sprue cutting machines.

Rule 4555. A sprue cutting machine shall be equipped with a point of operation guard or point of operation device as prescribed in General Industry Safety Standard Part 23 “Hydraulic Power Presses,” as referenced in R 408.14502.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

MIOSHA SAFETY AND HEALTH STANDARDS

Filed with the Secretary of State on May 20, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the department of licensing and regulatory affairs by section 69 of 1974 PA 154 and Executive Reorganization Order No. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 408.1069, 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.22101, R 408.22102, R 408.22103, R 408.22104, R 408.22105, R 408.22106, R 408.22107, R 408.22109, R 408.22110, R 408.22112, R 408.22113, R 408.22115, R 408.22117, R 408.22119, R 408.22129, R 408.22130, R 408.22138, R 408.22139, R 408.22151, and R 408.22156 are amended, and R 408.22102a, R 408.22110a, R 408.22110b, R 408.22112a, R 408.22112b, R 408.22112c, R 408.22112d, R 408.22112e, and R 408.22112f are added, and R 408.22161 and R 408.22162 are rescinded, to the Michigan Administrative Code, as follows:

PART 11. RECORDING AND REPORTING OF OCCUPATIONAL INJURIES AND
ILLNESSES

R 408.22101 Scope.

Rule 1101. These rules provide for recordkeeping and reporting by public and private employers covered under the act as necessary or appropriate for enforcement of the act, for developing information regarding the causes and prevention of occupational injuries and illnesses, and for maintaining a program of collection, compilation, and analysis of occupational safety and health statistics. R 408.22103 lists employers who are partially exempted from keeping work-related injury and illness records.

R 408.22102 Intent.

Rule 1102. (1) These rules are substantially identical to the federal occupational safety and health act (OSHA) recordkeeping and reporting requirements, as contained in 29 C.F.R., §1904 “Recording and Reporting of Occupational Injuries and Illnesses” amended 2014, as adopted in R 408.22102a, to assure that employers maintaining records pursuant to these rules are in compliance with the federal requirements and need not maintain additional records or submit additional reports pursuant to the federal regulations. R 408.21119 of this part pertains to the use of OSHA forms.

(2) This part shall not supersede the recordkeeping and reporting requirements prescribed by

sections 18 and 24 of Public Law 91-596, 29 U.S.C. §§667 and 673.

(3) If an employer creates records to comply with another government agency's injury and illness recordkeeping requirements, MIOSHA will consider the records as complying with these rules if OSHA or MIOSHA accepts the other agency's records under a memorandum of understanding with that agency, or if the other agency's records contain the same information as these rules requires an employer to record. For help in determining whether an employer's records meet MIOSHA's requirements, an employer may contact the MIOSHA Management Information Systems Section at www.michigan.gov/recordkeeping, or telephone 517-322-1848.

R 408.22102a. Adopted and referenced standards.

Rule 1102a. (1) The following federal standards are adopted by reference in these rules:

(a) 29 C.F.R. §1903.2 “Posting of notice; availability of the Act, regulations and applicable standards.” amended 1974.

(b) 29 C.F.R. §1904 “Recording and Reporting of Occupational Injuries and Illnesses,” amended 2014.

(c) 45 C.F.R. § 164.512 “Uses and disclosures for which an authorization or opportunity to agree or object is not required,” amended 2013.

(2) The standards adopted in these rules are available from the United States Government Printing Office website: www.ecfr.gov, at no charge as of the time of adoption of these rules.

(3) The standards adopted in these rules are available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, Lansing, Michigan, 48909-8143.

(4) The standards adopted in these rules may be obtained as shown in subrule (3) of this rule or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, Lansing, Michigan, 48909-8143, plus \$20.00 for shipping and handling.

(5) The following MIOSHA standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, Lansing, Michigan, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, as of the time of adoption of these rules, is 4 cents per page.

(a) Occupational Health Standard Part 380 “Occupational Noise Exposure in General Industry,” R 325.60101 to R 325.60128.

(b) Occupational Health Standard Part 554 “Bloodborne Infectious Diseases,” R 325.70001 to R 325.70018.

R 408.22103 Exceptions; applicability; petitions.

Rule 1103. (1) Both of the following provisions apply to exemptions based on employee numbers and industry classifications:

(a) If your company had 10 or fewer employees at all times during the last calendar year, you do not need to keep MIOSHA injury and illness records unless MIOSHA, the United States bureau of labor statistics (BLS), or the United States department of labor occupational safety and health administration (OSHA), informs you, in writing, that you must keep records according to R 408.22141 or R 408.22142. However, as required by R 408.22139, all employers covered by the act shall report to MIOSHA any workplace incident that results in a fatality or the hospitalization of 3 or more employees.

(b) If your company had more than 10 employees at any time during the last calendar year, you

must keep MIOSHA injury and illness records unless your establishment is classified as a partially exempt industry under ~~in~~ this rule.

(2) Both of the following provisions apply to implementation of employee number based exemptions:

(a) Is the partial exemption for size based on the size of my entire company or on the size of an individual business establishment? The partial exemption for size is based on the number of employees in the entire company.

(b) How do I determine the size of my company to find out if I qualify for the partial exemption for size? To determine if you are exempt because of size, you need to determine your company's peak employment during the last calendar year. If you did not have more than 10 employees at any time in the last calendar year, then your company qualifies for the partial exemption for size.

(3) Both of the following provisions apply to basic requirements for partial exemption for establishments in certain industries:

(a) If your business establishment is classified in a specific industry group listed in Appendix A, you do not need to keep MIOSHA injury and illness records unless MIOSHA, the United States bureau of labor statistics (BLS), or the United States department of labor occupational safety and health administration (OSHA), informs you, in writing, that you must keep the records according to R 408.22141 or R 408.22142. However, all employers must report to MIOSHA any workplace incident that results in an employee's fatality, inpatient hospitalization, amputation, or loss of an eye as required by R 408.22139.

(b) If 1 or more of your company's establishments are classified in a nonexempt industry, then you must keep MIOSHA injury and illness records for all of such establishments unless your company is partially exempted because of size under these rules.

(4) Is the partial industry classification exemption based on the industry classification of my entire company or on the classification of individual business establishments operated by my company? The partial industry classification exemption applies to individual business establishments. If a company has several business establishments engaged in different classes of business activities, some of the company's establishments may be required to keep records, while others may be partially exempt.

(5) How do I determine the correct North American industry classification system (NAICS) code for my company or for individual establishments? You can determine your NAICS code by using 1 of the following methods, or you may contact your nearest OSHA office or state agency for help in determining your NAICS code:

(a) You can use the search feature at the U.S. Census Bureau NAICS main Web page: <http://www.census.gov/eos/www/naics/>. In the search box for the most recent NAICS, enter a keyword that describes your kind of business. A list of primary business activities containing that keyword and the corresponding NAICS codes will appear. Choose the 1 code that most closely corresponds to your primary business activity, or refine your search to obtain other choices.

(b) Rather than searching through a list of primary business activities, you may also view the most recent complete NAICS structure with codes and titles by clicking on the link for the most recent NAICS on the U.S. Census Bureau NAICS main Web page: <http://www.census.gov/eos/www/naics/>. Then click on the 2-digit sector code to see all the NAICS codes under that sector. Then choose the 6-digit code of your interest to see the corresponding definition, as well as cross-references and index items, when available.

(c) If you know your old standard industrial classification (SIC) code, you can also find the appropriate 2002 NAICS code by using the detailed conversion (concordance) between the 1987 SIC and 2002 NAICS available in Excel format for download at the "Concordances" link at the

U.S. Census Bureau NAICS main Web page: [http:// www.census.gov/eos/www/naics/](http://www.census.gov/eos/www/naics/).

(6) The department of licensing and regulatory affairs shall supply copies of the forms provided for in these rules and shall compile, correct, and analyze data obtained pursuant to these rules. The department shall process petitions for exceptions to these rules from public employers. The occupational safety and health administration (OSHA) of the United States department of labor shall process petitions for exceptions from private employers to ensure uniformity between federal and state rules.

R 408.22104 Definitions; A to D.

Rule 1104. (1) "Act" means the Michigan occupational safety and health act (MIOSHA), 1974 PA 154, MCL 408.1001 to 408.1094.

(2) "Affected employee" means an employee who would be affected by the granting or denial of an exception, or an authorized representative as defined by the act.

(3) "Amputation" means the traumatic loss of a limb or other external body part. Amputation includes all of the following:

(a) A part, such as a limb or appendage, that has been severed, cut off, amputated, either completely or partially.

(b) Fingertip amputations with or without bone loss.

(c) Medical amputations resulting from irreparable damage.

(d) Amputations of body parts that have since been reattached.

Amputations do not include avulsions, enucleations, degloving, scalping, severed ears, or broken or chipped teeth.

(4) "Department" means the department of licensing and regulatory affairs.

(5) "Director" means the director of the department of licensing and regulatory affairs.

R 408.22105 Definitions; E, F.

Rule 1105. (1) "Employer" means an individual or organization, including the state or a political subdivision, which employs 1 or more person.

(2) "Establishment" means a single physical location where business is conducted or where services or industrial operations are performed. For activities where employees do not work at a single physical location, such as construction; transportation; communications; electric, gas, and sanitary services; and similar operations, the establishment is represented by main or branch offices, terminals, stations, and the like that either supervise the activities or are the base from which personnel carry out the activities. The following are examples of an establishment:

(a) Factory.

(b) Mill.

(c) Store.

(d) Hotel.

(e) Restaurant.

(f) Movie theater.

(g) Farm.

(h) Ranch.

(i) Bank.

(j) Sales office.

(k) Warehouse.

(l) Central administrative office.

(m) Single school within a school district.

- (n) City garage within the department of public works.
- (o) Branch office of the department of state.
- (p) Police station within the police department of a city.
- (3) “First-aid” means any of the following:
 - (a) Using a nonprescription medication at nonprescription strength. (For medications available in both prescription and nonprescription form, a recommendation by a physician or other licensed health care professional to use a nonprescription medication at prescription strength is considered medical treatment for recordkeeping purposes).
 - (b) Administering tetanus immunizations. (Other immunizations, such as hepatitis B vaccine or rabies vaccine, are considered medical treatment).
 - (c) Cleaning, flushing, or soaking wounds on the surface of the skin.
 - (d) Using wound coverings such as bandages, Band-aidstm, gauze pads, or the like; or using butterfly bandages or Steri-stripstm. Other wound closing devices, such as sutures, staples, and the like, are considered medical treatment.
 - (e) Using hot or cold therapy.
 - (f) Using any nonrigid means of support, such as elastic bandages, wraps, nonrigid back belts, or the like. Devices that have rigid stays or other systems designed to immobilize parts of the body are considered medical treatment for recordkeeping purposes.
 - (g) Using temporary immobilization devices while transporting an accident victim, such as splints, slings, neck collars, backboards, and the like.
 - (h) Drilling of a fingernail or toenail to relieve pressure, or draining fluid from a blister.
 - (i) Using eye patches.
 - (j) Removing foreign bodies from the eye using only irrigation or a cotton swab.
 - (k) Removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs, or other simple means.
 - (l) Using finger guards.
 - (m) Using massages. Physical therapy or chiropractic treatment is considered medical treatment for recordkeeping purposes.
 - (n) Drinking fluids for relief of heat stress.

R 408.22106 Definitions; H to M.

Rule 1106. (1) “Hospitalization” means the inpatient admission to a hospital for treatment, observation, or any other reason.

(2) “Inpatient hospitalization” means the formal admission to the inpatient service of a hospital or clinic for care or treatment.

(3) “Medical treatment” means the management and care of a patient to combat disease or disorder. For the purposes of these rules, “medical treatment” does not include any of the following:

- (a) Visits to a physician or other licensed health care professional solely for observation or counseling.
- (b) The conduct of diagnostic procedures, such as x-rays and blood tests, including the administration of prescription medications used solely for diagnostic purposes, for example, eye drops to dilate pupils.
- (c) “First-aid” as defined in R 408.22105(3).

R 408.22107 Definitions; O to Y.

Rule 1107. (1) “Occupational injury or illness” means an abnormal condition or disorder.

Occupational injury is a result of a work accident or from an exposure involving a single incident in the work environment and includes, but is not limited to, a cut, fracture, sprain, or amputation. Occupational illnesses include both acute and chronic illnesses, including, but not limited to, a skin disease, respiratory disorder, or poisoning. Injuries and illnesses are recordable only if they are new, work-related cases that meet 1 or more of the recording criteria of these rules.

(2) "Other potentially infectious material" means other potentially infectious material as defined in Occupational Health Standard Part 554 "Bloodborne Infectious Diseases," as referenced in R 408.22102a. These materials include the following:

- (a) Human bodily fluids, tissues, and organs.
- (b) Other materials infected with the HIV or hepatitis B (HBV) virus, such as laboratory cultures or tissues from experimental animals.

(3) "Physician or other licensed health care professional" means a physician or other licensed health care professional who is an individual and whose legally permitted scope of practice, that is, license, registration, or certification, allows him or her to independently perform, or be delegated the responsibility to perform, the activities described by these rules.

(4) "Recordable injuries and illness" means an injury or illness that meets the general recording criteria, and therefore is recordable, if it results in any of the following:

- (a) Death.
- (b) Days away from work.
- (c) Restricted work or transfer to another job.
- (d) Medical treatment beyond first-aid.
- (e) Loss of consciousness.

An employer must also consider a case as meeting the general recording criteria if it involves a significant injury or illness diagnosed by a physician or other licensed health care professional, even if it does not result in death, days away from work, restricted work or job transfer, medical treatment beyond first-aid, or loss of consciousness.

(5) "Standard threshold shift" means a change in the hearing threshold relative to the baseline audiogram of an average of 10 dB or more at 2000, 3000, and 4000 Hz in either ear.

(6) "You" means an employer as defined in section 5 of 1974 PA 154, MCL 408.1005.

R 408.22109 Recording criteria.

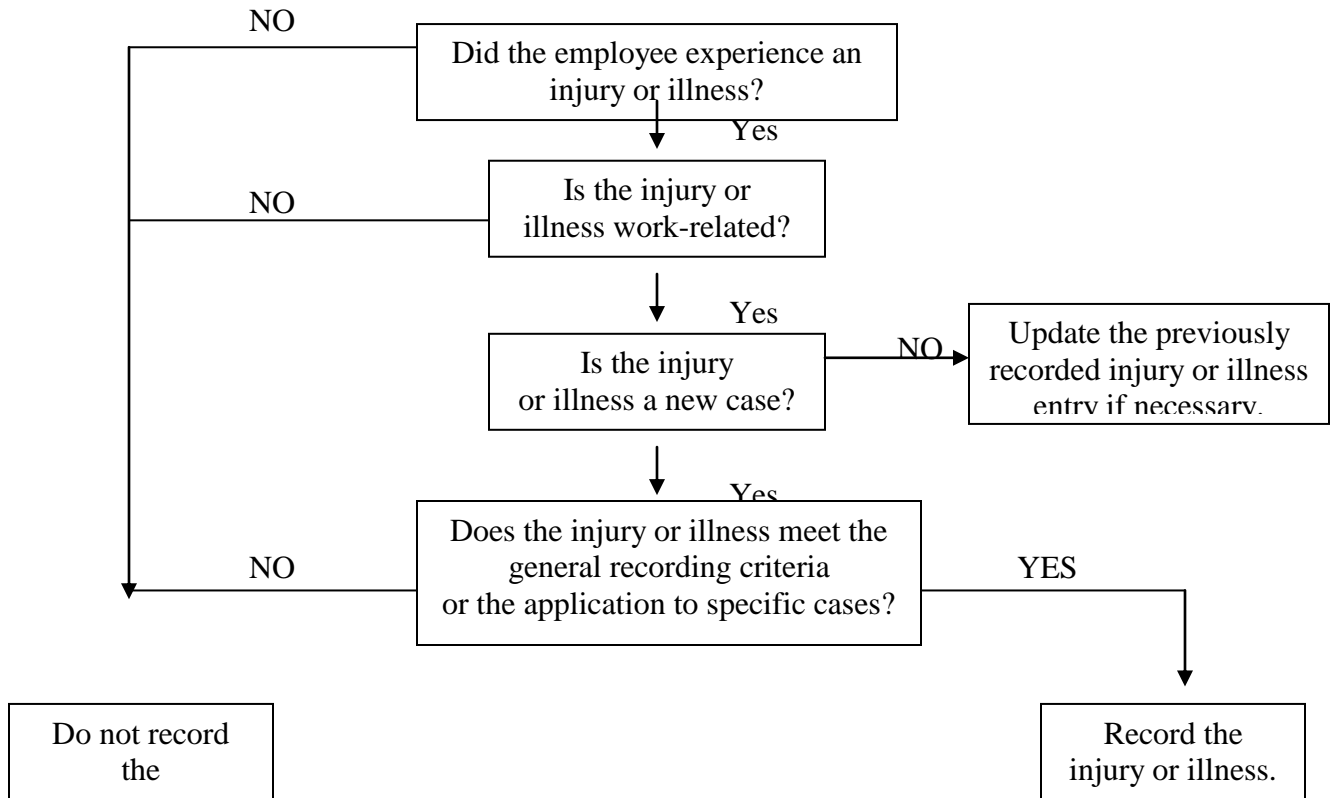
Rule 1109. (1) Each employer required to keep records of fatalities, injuries, and illnesses must record each fatality, injury, and illness that involves all of the following:

- (a) Is work-related.
- (b) Is a new case.
- (c) Meets 1 or more of the general recording criteria of R 408.22112 to R 408.22112f or the application to specific cases of R 408.22113 to R 408.22119.

(2) What sections of this rule describe recording criteria for recording work-related injuries and illnesses? The following list indicates which rules address each topic:

- (a) Determination of work-relatedness. See R 408.22110 to R 408.22110b.
- (b) Determination of a new case. See R 408.22111.
- (c) General recording criteria. See R 408.22112 to R 408.22112f.
- (d) Additional criteria such as needlestick and sharps injury cases, tuberculosis cases, and medical removal cases. See R 408.22113 to R 408.22119.

(3) How do I decide whether a particular injury or illness is recordable? The following decision tree for recording work-related injuries and illnesses shows the steps involved in making this determination:



DETERMINATION OF WORK-RELATEDNESS

R 408.22110 Basic requirement.

Rule 1110. You must consider an injury or illness to be work-related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a preexisting injury or illness. Work-relatedness is presumed for injuries and illnesses resulting from events or exposures occurring in the work environment, unless an exception in R 408.22110a(4) specifically applies.

R 408.22110a Implementation.

Rule 1110a. (1) What is the "work environment"? MIOSHA defines the work environment as "the establishment and other locations where 1 or more employees are working or are present as a condition of their employment. The work environment includes not only physical locations, but also the equipment or materials used by the employee during the course of his or her work."

(2) May 1 business location include 2 or more establishments? Normally, 1 business location has only 1 establishment. Under limited conditions, an employer may consider 2 or more separate businesses that share a single location to be separate establishments. An employer may divide 1 location into 2 or more establishments only when all of the following provisions apply:

- (a) Each of the establishments represents a distinctly separate business.
- (b) Each business is engaged in a different economic activity.

(c) A single industry description in the standard industrial classification manual (1987) does not apply to the joint activities of the establishments.

(d) Separate reports are routinely prepared for each establishment on the number of employees, their wages and salaries, sales or receipts, and other business information. For example, if an employer operates a construction company at the same location as a lumber yard, the employer may consider each business to be a separate establishment.

(3) May an establishment include more than 1 physical location? Yes, but only under certain conditions. An employer may combine 2 or more physical locations into a single establishment only when all of the following provisions apply:

(a) The employer operates the locations as a single business operation under common management.

(b) The locations are all located in close proximity to each other.

(c) The employer keeps 1 set of business records for the locations, such as records on the number of employees, their wages and salaries, sales or receipts, and other kinds of business information. For example, 1 manufacturing establishment might include the main plant, a warehouse a few blocks away, and an administrative services building across the street.

(4) If an employee telecommutes from home, is his or her home considered a separate establishment? No. For an employee who telecommutes from home, the employee's home is not a business establishment and a separate 300 log is not required. An employee who telecommutes must be linked to 1 of your establishments under R 408.22130(4).

(5) Are there situations where an injury or illness occurs in the work environment and is not considered work-related? Yes. An injury or illness occurring in the work environment that falls under any of the following exceptions is not work-related, and therefore is not recordable:

R 408.22110a(5)	YOU ARE NOT REQUIRED TO RECORD INJURIES AND ILLNESSES IF...
(a)	At the time of the injury or illness, the employee was present in the work environment as a member of the general public rather than as an employee.
(b)	The injury or illness involves signs or symptoms that surface at work but result solely from a non-work-related event or exposure that occurs outside the work environment.
(c)	The injury or illness results solely from voluntary participation in a wellness program or in a medical, fitness, or recreational activity such as blood donation, physical examination, flu shot, exercise class, racquetball, or baseball.
(d)	<p>The injury or illness is solely the result of an employee eating, drinking, or preparing food or drink for personal consumption whether bought on the employer's premises or brought in.</p> <p>For example, if the employee is injured by choking on a sandwich while in the employer's establishment, the case would not be considered work-related.</p> <p>Note: If the employee is made ill by ingesting food contaminated by workplace contaminants, such as lead, or gets food poisoning from food supplied by the employer, then the case would be considered</p>

	work-related.
(e)	The injury or illness is solely the result of an employee doing personal tasks, unrelated to his or her employment, at the establishment outside of the employee's assigned working hours.
(f)	The injury or illness is solely the result of personal grooming, self-medication for a non-work-related condition, or is intentionally self-inflicted.
(g)	The injury or illness is caused by a motor vehicle accident and occurs on a company parking lot or company access road while the employee is commuting to or from work.
(h)	The illness is the common cold or flu. Note: Contagious diseases such as tuberculosis, brucellosis, hepatitis A, or plague are considered work-related if the employee is infected at work.
(i)	The illness is a mental illness. Mental illness will not be considered work-related unless the employee voluntarily provides the employer with an opinion from a physician or other licensed health care professional who has appropriate training and experience, such as a psychiatrist, psychologist, psychiatric nurse practitioner, or the like, stating that the employee has a mental illness that is work-related.

R 408.22110b How to handle unusual cases.

Rule 1110b. (1) How do I handle a case if it is not obvious whether the precipitating event or exposure occurred in the work environment or occurred away from work? In these situations, you must evaluate the employee's work duties and environment to decide whether or not 1 or more events or exposures in the work environment either caused or contributed to the resulting condition or significantly aggravated a preexisting condition.

(2) How do I know if an event or exposure in the work environment "significantly aggravated" a preexisting injury or illness? A preexisting injury or illness has been significantly aggravated, for purposes of MIOSHA injury and illness recordkeeping, when an event or exposure in the work environment results in any of the following:

(a) Death, if the preexisting injury or illness would likely not have resulted in death but for the occupational event or exposure.

(b) Loss of consciousness, provided that the preexisting injury or illness would likely not have resulted in loss of consciousness but for the occupational event or exposure.

(c) One or more days away from work, or days of restricted work, or days of job transfer that otherwise would not have occurred but for the occupational event or exposure.

(d) Medical treatment in a case where medical treatment was not needed for the injury or illness before the workplace event or exposure, or a change in medical treatment was necessitated by the workplace event or exposure.

(2) Which injuries and illnesses are considered preexisting conditions? An injury or illness is a preexisting condition if it resulted solely from a non-work-related event or exposure that occurred outside the work environment.

(3) How do I decide whether an injury or illness is work-related if the employee is on travel status at the time the injury or illness occurs? Injuries and illnesses that occur while an employee is on travel status are work-related if, at the time of the injury or illness, the employee was

engaged in work activities "in the interest of the employer." Examples of such activities include travel to and from customer contacts, conducting job tasks, and entertaining or being entertained to transact, discuss, or promote business. Work-related entertainment includes only entertainment activities being engaged in at the direction of the employer.

(4) Injuries or illnesses that occur when the employee is on travel status do not have to be recorded if the injuries or illnesses meet any of the following exceptions:

R 408.22110b(4)	If the employee has ...:	You may use the following to determine if an injury or illness is work-related.
(a)	Checked into a hotel or motel for 1 or more days.	When a traveling employee checks into a hotel, motel, or other temporary residence, he or she establishes a "home away from home." You must evaluate the employee's activities after he or she checks into the hotel, motel, or other temporary residence for his or her work-relatedness in the same manner as you evaluate the activities of a non-traveling employee. When the employee checks into the temporary residence, he or she is considered to have left the work environment. When the employee begins work each day, he or she re-enters the work environment. If the employee has established a "home away from home" and is reporting to a fixed worksite each day, you also do not consider injuries or illnesses work-related if they occur while the employee is commuting between the temporary residence and the job location.
(b)	Taken a detour for personal reasons.	Injuries or illnesses are not considered work-related if they occur while the employee is on a personal detour from a reasonably direct route of travel, that is, has taken a side trip for personal reasons.

(5) How do I decide if a case is work-related when the employee is working at home? Injuries and illnesses that occur while an employee is working at home, including work in a home office, will be considered work-related if the injury or illness occurs while the employee is performing work for pay or compensation in the home, and the injury or illness is directly related to the performance of work rather than to the general home environment or setting. For example, if an employee drops a box of work documents and injures his or her foot, the case is considered work-related. If an employee's fingernail is punctured by a needle from a sewing machine used to perform garment work at home, becomes infected and requires medical treatment, the injury is considered work-related. If an employee is injured because he or she trips on the family dog while rushing to answer a work phone call, the case is not considered work-related. If an employee working at home is electrocuted because of faulty home wiring, the injury is not considered work-related.

GENERAL RECORDING CRITERIA

R 408.22112 Basic requirement.

Rule 1112. (1) You must consider an injury or illness to meet the general recording criteria, and therefore to be recordable, if the injury or illness ~~it~~ results in any of the following:

- (a) Death.
- (b) Days away from work.
- (c) Restricted work or transfer to another job.
- (d) Medical treatment beyond first-aid.
- (e) Loss of consciousness.

(2) You must consider a case to meet the general recording criteria if it involves a significant injury or illness diagnosed by a physician or other licensed health care professional, even if it does not result in death, days away from work, restricted work or job transfer, medical treatment beyond first-aid, or loss of consciousness.

R 408.22112a Implementation.

Rule 1112a. (1) How do I decide if a case meets 1 or more of the general recording criteria? A work-related injury or illness must be recorded if it results in 1 or more of the following:

- (a) Death. See subrule (2) of this rule.
- (b) Days away from work. See R 408.22112b.
- (c) Restricted work or transfer to another job. See R 408.22112c.
- (d) Medical treatment beyond first-aid. See R 408.22112d.
- (e) Loss of consciousness. See R 408.22112e.

(f) A significant injury or illness diagnosed by a physician or other licensed health care professional. See R 408.22112f.

(2) How do I record a work-related injury or illness that results in the employee's death? You must record an injury or illness that results in death by entering a check mark on the MIOSHA 300 log in the space for cases resulting in death. You must also report any work-related fatality to MIOSHA within 8 hours, as required by R 408.22139.

R 408.22112b Record work-related injury or illness that results in days away from work.

Rule 1112b. (1) How do I record a work-related injury or illness that results in days away from work? When an injury or illness involves 1 or more days away from work, you must record the injury or illness on the MIOSHA 300 log with a check mark in the space for cases involving days away and an entry of the number of calendar days away from work in the number of days column. If the employee is out for an extended period of time, you must enter an estimate of the days that the employee will be away, and update the day count when the actual number of days is known.

(2) Do I count the day on which the injury occurred or the illness began? No. You begin counting days away on the day after the injury occurred or the illness began.

(3) How do I record an injury or illness when a physician or other licensed health care professional recommends that the worker stay at home but the employee comes to work anyway? You must record these injuries and illnesses on the MIOSHA 300 log using the check box for cases with days away from work and enter the number of calendar days away recommended by the physician or other licensed health care professional. If a physician or other licensed health care professional recommends days away, you should encourage your employee to follow that recommendation. However, the days away must be recorded whether the injured or ill employee follows the physician or licensed health care professional's recommendation or not. If you receive

recommendations from 2 or more physicians or other licensed health care professionals, you may make a decision as to which recommendation is the most authoritative, and record the case based upon that recommendation.

(4) How do I handle a case when a physician or other licensed health care professional recommends that the worker return to work but the employee stays at home anyway? In this situation, you must end the count of days away from work on the date the physician or other licensed health care professional recommends that the employee return to work.

(5) How do I count weekends, holidays, or other days the employee would not have worked anyway? You must count the number of calendar days the employee was unable to work as a result of the injury or illness, regardless of whether or not the employee was scheduled to work on those days. Weekend days, holidays, vacation days, or other days off are included in the total number of days recorded if the employee would not have been able to work on those days because of a work-related injury or illness.

(6) How do I record a case in which a worker is injured or becomes ill on a Friday and reports to work on a Monday, and was not scheduled to work on the weekend? You need to record this case only if you receive information from a physician or other licensed health care professional indicating that the employee should not have worked, or should have performed only restricted work, during the weekend. If so, you must record the injury or illness as a case with days away from work or restricted work, and enter the day counts, as appropriate.

(7) How do I record a case in which a worker is injured or becomes ill on the day before scheduled time off such as a holiday, a planned vacation, or a temporary plant closing? You need to record a case of this type only if you receive information from a physician or other licensed health care professional indicating that the employee should not have worked, or should have performed only restricted work, during the scheduled time off. If so, you must record the injury or illness as a case with days away from work or restricted work, and enter the day counts, as appropriate.

(8) Is there a limit to the number of days away from work I must count? Yes. You may "cap" the total days away at 180 calendar days. You are not required to keep track of the number of calendar days away from work if the injury or illness resulted in more than 180 calendar days away from work or days of job transfer or restriction, or both. In such a case, entering 180 in the total days away column will be considered adequate.

(9) May I stop counting days if an employee who is away from work because of an injury or illness retires or leaves my company? Yes. If the employee leaves your company for some reason unrelated to the injury or illness, such as retirement, a plant closing, or to take another job, you may stop counting days away from work or days of restriction or job transfer. If the employee leaves your company because of the injury or illness, you must estimate the total number of days away or days of restriction or job transfer and enter the day count on the MIOSHA 300 log.

(10) If a case occurs in one year but results in days away during the next calendar year, do I record the case in both years? No. You only record the injury or illness once. You must enter the number of calendar days away for the injury or illness on the MIOSHA 300 log for the year in which the injury or illness occurred. If the employee is still away from work because of the injury or illness when you prepare the annual summary, estimate the total number of calendar days you expect the employee to be away from work, use this number to calculate the total for the annual summary, and then update the initial log entry later when the day count is known or reaches the 180-day cap.

R 408.22112c Record work-related injury or illness that results in restricted work or job transfer.

Rule 1112c. (1) How do I record a work-related injury or illness that results in restricted work or job transfer? When an injury or illness involves restricted work or job transfer but does not involve death or days away from work, you must record the injury or illness on the MIOSHA 300 log by placing a check mark in the space for job transfer or restriction and an entry of the number of restricted or transferred days in the restricted workdays column.

(2) How do I decide if the injury or illness resulted in restricted work? Restricted work occurs when, as the result of a work-related injury or illness, either of the following occurs:

(a) You keep the employee from performing 1 or more of the routine functions of his or her job, or from working the full workday that he or she would otherwise have been scheduled to work.

(b) A physician or other licensed health care professional recommends that the employee not perform 1 or more of the routine functions of his or her job, or not work the full workday that he or she would otherwise have been scheduled to work.

(3) What is meant by "routine functions"? For recordkeeping purposes, an employee's routine functions are those work activities the employee regularly performs at least once per week.

(4) Do I have to record restricted work or job transfer if it applies only to the day on which the injury occurred or the illness began? No. You do not have to record restricted work or job transfers if you, or the physician or other licensed health care professional, impose the restriction or transfer only for the day on which the injury occurred or the illness began.

(5) If you or a physician or other licensed health care professional recommends a work restriction, is the injury or illness automatically recordable as a "restricted work" case? No. A recommended work restriction is recordable only if it affects 1 or more of the employee's routine job functions. To determine whether this is the case, you must evaluate the restriction in light of the routine functions of the injured or ill employee's job. If the restriction from you or the physician or other licensed health care professional keeps the employee from performing 1 or more of his or her routine job functions, or from working the full workday the injured or ill employee would otherwise have worked, the employee's work has been restricted and you must record the case.

(6) How do I record a case where the worker works only for a partial work shift because of a work-related injury or illness? A partial day of work is recorded as a day of job transfer or restriction for recordkeeping purposes, except for the day on which the injury occurred or the illness began.

(7) If the injured or ill worker produces fewer goods or services than he or she would have produced before the injury or illness, but otherwise performs all of the routine functions of his or her work, is the case considered a restricted work case? No. The case is considered restricted work only if the worker does not perform all of the routine functions of his or her job or does not work the full shift that he or she would otherwise have worked.

(8) How do I handle vague restrictions from a physician or other licensed health care professional, such as that the employee engage only in "light duty" or "take it easy for a week"? If you are not clear about the physician or other licensed health care professional's recommendation, you may ask that person whether the employee can do all of his or her routine job functions and work all of his or her normally assigned work shift. If the answer to both of these questions is "yes," then the case does not involve a work restriction and does not have to be recorded as such. If the answer to 1 or both of these questions is "no," the case involves restricted work and must be recorded as a restricted work case. If you are unable to obtain this additional information from the physician or other licensed health care professional who recommended the restriction, then record the injury or illness as a case involving restricted work.

(9) What do I do if a physician or other licensed health care professional recommends a job restriction meeting MIOSHA's definition, but the employee does all of his or her routine job functions anyway? You must record the injury or illness on the MIOSHA 300 log as a restricted work case. If a physician or other licensed health care professional recommends a job restriction, you should ensure that the employee complies with that restriction. If you receive recommendations from 2 or more physicians or other licensed health care professionals, you may make a decision as to which recommendation is the most authoritative, and record the case based upon that recommendation.

(10) How do I decide if an injury or illness involved a transfer to another job? If you assign an injured or ill employee to a job other than his or her regular job for part of the day, the case involves transfer to another job. Note: This does not include the day on which the injury or illness occurred.

(11) Are transfers to another job recorded in the same way as restricted work cases? Yes. Both job transfer and restricted work cases are recorded in the same box on the MIOSHA 300 log. For example, if you assign, or a physician or other licensed health care professional recommends that you assign, an injured or ill worker to his or her routine job duties for part of the day and to another job for the rest of the day, the injury or illness involves a job transfer. You must record an injury or illness that involves a job transfer by placing a check in the box for job transfer.

(12) How do I count days of job transfer or restriction? You count days of job transfer or restriction in the same way you count days away from work, using R 408.22112b (2) to (9). The only difference is that, if you permanently assign the injured or ill employee to a job that has been modified or permanently changed in a manner that eliminates the routine functions the employee was restricted from performing, you may stop the day count when the modification or change is made permanent. You must count at least 1 day of restricted work or job transfer for such cases.

R 408.22112d Recording injury or illness that involves medical treatment beyond first-aid.

Rule 1112d. (1) How do I record an injury or illness that involves medical treatment beyond first-aid? If a work-related injury or illness results in medical treatment beyond first-aid, you must record it on the MIOSHA 300 log. If the injury or illness did not involve death, 1 or more days away from work, 1 or more days of restricted work, or 1 or more days of job transfer, you enter a check mark in the box for cases where the employee received medical treatment but remained at work and was not transferred or restricted.

(2) What is the definition of medical treatment? "Medical treatment" means the management and care of a patient to combat disease or disorder. For the purposes of these rules, medical treatment does not include any of the following:

(a) Visits to a physician or other licensed health care professional solely for observation or counseling.

(b) The conduct of diagnostic procedures, such as x-rays and blood tests, including the administration of prescription medications used solely for diagnostic purposes, such as eye drops to dilate pupils.

(c) "First-aid" as defined in subrule (3) of this rule.

(3) What is "first-aid"? For the purposes of these rules, "first-aid" means any of the following:

(a) Using a nonprescription medication at nonprescription strength. For medications available in both prescription and nonprescription form, a recommendation by a physician or other licensed health care professional to use a nonprescription medication at prescription strength is considered medical treatment for recordkeeping purposes.

(b) Administering tetanus immunizations. Administering other immunizations, such as hepatitis B vaccine or rabies vaccine, is considered medical treatment.

(c) Cleaning, flushing, or soaking wounds on the surface of the skin.

(d) Using wound coverings such as bandages, Band-aidsTM, gauze pads, or the like; or using butterfly bandages or Steri-stripsTM. Using other wound closing devices, such as sutures, staples, or the like, is considered medical treatment.

(e) Using hot or cold therapy.

(f) Using any nonrigid means of support, such as elastic bandages, wraps, nonrigid back belts, or the like. Using devices that have rigid stays or other systems designed to immobilize parts of the body is considered medical treatment for recordkeeping purposes.

(g) Using temporary immobilization devices while transporting an accident victim, such as splints, slings, neck collars, back boards, and the like.

(h) Drilling of a fingernail or toenail to relieve pressure, or draining fluid from a blister.

(i) Using eye patches.

(j) Removing foreign bodies from the eye using only irrigation or a cotton swab.

(k) Removing splinters or foreign material from areas other than the eye by irrigation, tweezers, cotton swabs, or other simple means.

(l) Using finger guards.

(m) Using massages. Physical therapy or chiropractic treatment is considered medical treatment for recordkeeping purposes.

(n) Drinking fluids for relief of heat stress.

(4) Are any other procedures included in first-aid? No. This is a complete list of all treatments considered first-aid for the purposes of these rules.

(5) Does the professional status of the person providing the treatment have any effect on what is considered first-aid or medical treatment? No. MIOSHA considers the treatments listed in subrule (3) of this rule to be first-aid regardless of the professional status of the person providing the treatment. Even when these treatments are provided by a physician or other licensed health care professional, they are considered first-aid. Similarly, MIOSHA considers treatment beyond first-aid to be medical treatment even when it is provided by someone other than a physician or other licensed health care professional.

(6) What if a physician or other licensed health care professional recommends medical treatment but the employee does not follow the recommendation? If a physician or other licensed health care professional recommends medical treatment, you should encourage the injured or ill employee to follow that recommendation. However, you must record the case even if the injured or ill employee does not follow the physician or other licensed health care professional's recommendation.

R 408.22112e Record of work-related injury or illness case involving loss of consciousness recordable.

Rule 1112e. Is every work-related injury or illness case involving a loss of consciousness recordable? Yes. You must record a work-related injury or illness if the worker becomes unconscious, regardless of the length of time the employee remains unconscious.

R 408.22112f "Significant" diagnosed injury or illness that is recordable,

Rule 1112f. What is a "significant" diagnosed injury or illness that is recordable under the general criteria, even if it does not result in death, days away from work, restricted work or job transfer, medical treatment beyond first-aid, or loss of consciousness? Work-related cases

involving cancer, a chronic irreversible disease, a fractured or cracked bone, or a punctured eardrum must always be recorded under the general criteria at the time of diagnosis by a physician or other licensed health care professional.

Note: Most significant injuries and illnesses will result in 1 of the criteria listed in R 408.22112, such as death, days away from work, restricted work or job transfer, medical treatment beyond first-aid, or loss of consciousness. However, there are some significant injuries, such as a punctured eardrum or a fractured toe or rib, for which neither medical treatment nor work restrictions may be recommended. In addition, there are certain significant progressive diseases, such as byssinosis, silicosis, and certain types of cancer, for which medical treatment or work restrictions may not be recommended at the time of diagnosis but are likely to be recommended as the disease progresses. Cancer, chronic irreversible diseases, fractured or cracked bones, and punctured eardrums are generally considered significant injuries and illnesses, and must be recorded at the initial diagnosis even if medical treatment or work restrictions are not recommended, or are postponed, in a particular case.

R 408.22113 Recording criteria for needlestick and sharps injuries.

Rule 1113. (1) You must record all work-related needlestick injuries and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material, as defined in Occupational Health Standard Part 554 "Bloodborne Infectious Diseases," as referenced in R 408.22102a. You must enter the case on the MIOSHA 300 log as an injury. To protect the employee's privacy, you may not enter the employee's name on the MIOSHA 300 log (see the requirements for privacy cases in R 408.22129(7) to (10).

(2) What does "other potentially infectious material" mean? The term "other potentially infectious material" is defined in R 408.22107(2). These materials include the following:

(a) Human bodily fluids, tissues, and organs.

(b) Other materials infected with the HIV or hepatitis B (HBV) virus, such as laboratory cultures or tissues from experimental animals.

(3) Does this mean that I must record all cuts, lacerations, punctures, and scratches? No, you need to record cuts, lacerations, punctures, and scratches only if they are work-related and involve contamination with another person's blood or other potentially infectious material. If the cut, laceration, or scratch involves a clean object, or a contaminant other than blood or other potentially infectious material, you need to record the case only if it meets 1 or more of the recording criteria in R 408.22112 to R 408.22112f.

(4) If I record an injury and the employee is later diagnosed with an infectious bloodborne disease, do I need to update the MIOSHA 300 log? Yes, you must update the classification of the case on the MIOSHA 300 log if the case results in death, days away from work, restricted work, or job transfer. You must also update the description to identify the infectious disease and change the classification of the case from an injury to an illness.

(5) What if one of my employees is splashed or exposed to blood or other potentially infectious material without being cut or scratched? Do I need to record this incident? You need to record such an incident on the MIOSHA 300 log as an illness if any of the following provisions apply:

(a) It results in the diagnosis of a bloodborne illness, such as HIV, hepatitis B, or hepatitis C.

(b) It meets 1 or more of the recording criteria in R 408.22112 to R 408.22112f.

R 408.22115 Recording criteria for cases involving occupational hearing loss, after January 1, 2003.

Rule 1115. (1) If an employee's hearing test (audiogram) reveals that the employee has

experienced a work-related standard threshold shift (STS) in hearing in 1 or both ears, and the employee's total hearing level is 25 decibels (dB) or more above audiometric zero (averaged at 2000, 3000, and 4000 Hz) in the same ear or ears as the STS, you must record the case on the MIOSHA 300 Log, column 5.

(2) What is a standard threshold shift? A standard threshold shift, or STS, is defined in Occupational Health Standard Part 380 “Occupational Noise Exposure in General Industry” as referenced in R 408.22102a, as a change in hearing threshold, relative to the baseline audiogram for that employee, of an average of 10 decibels (dB) or more at 2000, 3000, and 4000 hertz (Hz) in 1 or both ears.

(3) How do I evaluate the current audiogram to determine whether an employee has an STS and a 25 dB hearing level?

(a) If the employee has never previously experienced a recordable hearing loss, then you must compare the employee's current audiogram with that employee's baseline audiogram. If the employee has previously experienced a recordable hearing loss, then you must compare the employee's current audiogram with the employee's revised baseline audiogram, which is the audiogram reflecting the employee's previous recordable hearing loss case.

(b) 25 dB loss. Audiometric test results reflect the employee's overall hearing ability in comparison to audiometric zero. Therefore, using the employee's current audiogram, you must use the average hearing level at 2000, 3000, and 4000 Hz to determine if the employee's total hearing level is 25 dB or more.

(4) May I adjust the current audiogram to reflect the effects of aging on hearing? Yes. When you are determining whether an STS has occurred, you may age adjust the employee's current audiogram results by using Table 4, as appropriate, from Occupational Health Standard Part 380 “Occupational Noise Exposure in General Industry” as referenced in R 408.22102a. You may not use an age adjustment when determining whether the employee's total hearing level is 25 dB or more above audiometric zero.

(5) Do I have to record the hearing loss if I am going to retest the employee's hearing? No. If you retest the employee's hearing within 30 days of the first test, and the retest does not confirm the recordable STS, you are not required to record the hearing loss case on the MIOSHA 300 log. If the retest confirms the recordable STS, you must record the hearing loss illness within 7 calendar days of the retest. If subsequent audiometric testing performed under the testing requirements of Occupational Health Standard Part 380 “Occupational Noise Exposure in General Industry” as referenced in R 408.22102a, indicates that an STS is not persistent, then you may erase or line-out the recorded entry.

(6) Are there any special rules for determining whether a hearing loss case is work-related? No. You must use the requirements in R 408.22110 to R 408.22110b to determine if the hearing loss is work-related. If an event or exposure in the work environment either caused or contributed to the hearing loss, or significantly aggravated a pre-existing hearing loss, you must consider the case to be work-related.

(7) If a physician or other licensed health care professional determines that the hearing loss is not work-related or has not been significantly aggravated by occupational noise exposure, you are not required to consider the case work-related or to record the case on the MIOSHA 300 log.

(8) How do I complete the MIOSHA 300 log for a hearing loss case? When you enter a recordable hearing loss case on the MIOSHA 300 log, you must check the 300 log column for hearing loss.

R 408.22117 Recording criteria for work-related tuberculosis cases.

Rule 1117. (1) If any of your employees has been occupationally exposed to anyone with a known case of active tuberculosis (TB), and that employee subsequently develops a tuberculosis infection, as evidenced by a positive skin test or diagnosis by a physician or other licensed health care professional, you must record the case on the MIOSHA 300 log by checking the "respiratory condition" column.

(2) Do I have to record, on the log, a positive TB skin test result obtained at a pre-employment physical? No. You do not have to record it because the employee was not occupationally exposed to a known case of active tuberculosis in your workplace.

(3) May I line-out or erase a recorded TB case if I obtain evidence that the case was not caused by occupational exposure? Yes. You may line-out or erase the case from the log under the any of the following circumstances:

(a) The worker is living in a household with a person who has been diagnosed with active TB.

(b) The department of community health has identified the worker as a contact of an individual with a case of active TB unrelated to the workplace.

(c) A medical investigation shows that the employee's infection was caused by exposure to TB away from work, or proves that the case was not related to the workplace TB exposure.

R 408.22119 Record keeping on federal OSHA forms.

Rule 1119. Records maintained by an employer pursuant to this part on the federal record keeping forms OSHA 301, OSHA 300, and OSHA 300A shall be regarded as in compliance with the state requirements as provided in this part.

R 408.22129 Forms.

Rule 1129 (1) You must use MIOSHA 300, 300A, and 301 forms, or equivalent forms, and shall complete the forms in the detail required by the forms and the instructions contained in the forms for the purpose of recording recordable injuries and illnesses. The MIOSHA 300 form is called the log of work-related injuries and illnesses, the 300A is the summary of work-related injuries and illnesses, and the MIOSHA 301 form is called the injury and illness incident report.

(2) What do I need to do to complete the MIOSHA 300 log? You must enter information about your business at the top of the MIOSHA 300 log, enter a 1 or 2-line description for each recordable injury or illness, and summarize this information on the MIOSHA 300A at the end of the year.

(3) What do I need to do to complete the MIOSHA 301 incident report? You must complete a MIOSHA 301 incident report form, or an equivalent form, for each recordable injury or illness entered on the MIOSHA 300 log.

(4) How quickly must each injury or illness be recorded? You must enter each recordable injury or illness on the MIOSHA 300 log and 301 incident report within 7 calendar days of receiving information that a recordable injury or illness has occurred.

(5) What is an equivalent form? An equivalent form is a form that has the same information, is as readable and understandable, and is completed using the same instructions as the MIOSHA form it replaces. Many employers use an insurance form instead of the MIOSHA 301 incident report, or supplement an insurance form by adding any additional information required by MIOSHA.

(6) May I keep my records on a computer? Yes. If the computer can produce equivalent forms when they are needed, as described under R 408.22135 and R 408.22140, you may keep your records using the computer system.

(7) Are there situations where I do not put the employee's name on the forms for privacy

reasons? Yes. If you have a "privacy concern case," you may not enter the employee's name on the MIOSHA 300 log. Instead, enter "privacy case" in the space normally used for the employee's name. This will protect the privacy of the injured or ill employee when another employee, a former employee, or an authorized employee representative is provided access to the MIOSHA 300 log under R 408.22135(3). You must keep a separate, confidential list of the case numbers and employee names for your privacy concern cases so you can update the cases and provide the information to the government if asked to do so.

(8) How do I determine if an injury or illness is a privacy concern case? You must consider all of the following injuries or illnesses to be privacy concern cases:

- (a) An injury or illness to an intimate body part or the reproductive system.
- (b) An injury or illness resulting from a sexual assault.
- (c) Mental illnesses.
- (d) HIV infection, hepatitis, or tuberculosis.
- (e) Needlestick injuries and cuts from sharp objects that are contaminated with another person's blood or other potentially infectious material. See R 408.22113(2) and R 408.22107(2) for definitions.
- (f) Other illnesses, if the employee independently and voluntarily requests that his or her name not be entered on the log. After January 1, 2003, musculoskeletal disorders (MSDs) are not considered privacy concern cases.

(9) May I classify any other types of injuries and illnesses as privacy concern cases? No. The list in subrule (8) of this rule is a complete list of all injuries and illnesses considered privacy concern cases for the purposes of these rules.

(10) If I have removed the employee's name, but still believe that the employee may be identified from the information on the forms, is there anything else that I can do to further protect the employee's privacy? Yes. If you have a reasonable basis to believe that information describing the privacy concern case may be personally identifiable even though the employee's name has been omitted, you may use discretion in describing the injury or illness on both the MIOSHA 300 and 301 forms. You must enter enough information to identify the cause of the incident and the general severity of the injury or illness, but you do not need to include details of an intimate or private nature. For example, a sexual assault case could be described as "injury from assault," or an injury to a reproductive organ could be described as "lower abdominal injury."

(11) What must I do to protect employee privacy if I wish to provide access to the MIOSHA forms 300 and 301 to persons other than government representatives, employees, former employees, or authorized representatives? If you decide to voluntarily disclose the forms to persons other than government representatives, employees, former employees, or authorized representatives, as required by R 408.22135 and R 408.22140, you must remove or hide the employees' names and other personally identifying information, except for the following cases. You may disclose the forms with personally identifying information only as follows:

- (a) To an auditor or consultant hired by the employer to evaluate the safety and health program.
- (b) To the extent necessary for processing a claim for workers' compensation or other insurance benefits.
- (c) To a public health authority or law enforcement agency for uses and disclosures for which consent, an authorization, or opportunity to agree or object is not required under the United States department of health and human services standards for privacy of individually identifiable health information, 45 C.F.R. §164.512 "Uses and disclosures for which an authorization or opportunity to agree or object is not required," amended 2013, as adopted in R 408.22102a.

R 408.22130 Multiple business establishments.

Rule 1130. (1) You must keep a separate MIOSHA 300 log for each establishment that is expected to be in operation for 1 year or longer.

(2) Do I need to keep MIOSHA injury and illness records for short-term establishments, that is, establishments that will exist for less than a year? Yes. However, you do not have to keep a separate MIOSHA 300 log for each such establishment. You may keep 1 MIOSHA 300 log that covers all of your short-term establishments. You may also include the short-term establishments' recordable injuries and illnesses on a MIOSHA 300 log that covers short-term establishments for individual company divisions or geographic regions.

(3) May I keep the records for all of my establishments at my headquarters location or at some other central location? Yes. You may keep the records for an establishment at your headquarters or other central location if you comply with both of the following provisions:

(a) Transmit information about the injuries and illnesses from the establishment to the central location within 7 calendar days of receiving information that a recordable injury or illness has occurred.

(b) Produce and send the records from the central location to the establishment within the time frames required by R 408.22135 and R 408.22140 when you are required to provide records to a government representative, employees, former employees, or employee representatives.

(4) Some of my employees work at several different locations or do not work at any of my establishments at all. How do I record cases for these employees? You must link each of your employees with 1 of your establishments, for recordkeeping purposes. You must record the injury and illness on the MIOSHA 300 log of the injured or ill employee's establishment, or on a MIOSHA 300 log that covers that employee's short-term establishment.

(5) How do I record an injury or illness when an employee of 1 of my establishments is injured or becomes ill while visiting or working at another of my establishments, or while working away from any of my establishments? If the injury or illness occurs at 1 of your establishments, you must record the injury or illness on the MIOSHA 300 log of the establishment at which the injury or illness occurred. If the employee is injured or becomes ill and is not at 1 of your establishments, you must record the case on the MIOSHA 300 log at the establishment at which the employee normally works.

R 408.22138 Private sector variances from recordkeeping rule.

Rule 1138. (1) If you are a private employer and wish to keep records in a different manner from the manner prescribed by these rules, you may submit a variance petition to the Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, Washington, DC 20210. You can obtain a variance only if you can show that your alternative recordkeeping system provides all of the following:

(a) Collects the same information as this part requires.

(b) Meets the purposes of the act.

(c) Does not interfere with the administration of the occupational safety and health act of 1970, 29 U.S.C. §651 et seq.

(2) What do I need to include in my variance petition? You must include all of the following items in your petition:

(a) Your name and address.

(b) A list of the state or states where the variance would be used.

(c) The address or addresses of the business establishment or establishments involved.

(d) A description of why you are seeking a variance.

(e) A description of the different recordkeeping procedures you propose to use.

(f) A description of how your proposed procedures will collect the same information as would be collected by these rules and achieve the purpose of the occupational safety and health act of 1970, 29 U.S.C. §651 et seq.

(g) A statement that you have informed your employees of the petition by giving them or their authorized representative a copy of the petition and by posting a statement summarizing the petition in the same way as notices are posted under 29 C.F.R. 1903.2 “Posting of notice; availability of the Act, regulations and applicable standards” rule (a), as adopted in R 408.22102a.

(3) How will the assistant secretary handle my variance petition? The assistant secretary will take the following steps to process your variance petition:

(a) The assistant secretary will offer your employees and their authorized representatives an opportunity to submit written data, views, and arguments about your variance petition.

(b) The assistant secretary may allow the public to comment on your variance petition by publishing the petition in the Federal Register. If the petition is published, the notice will establish a public comment period and may include a schedule for a public meeting on the petition.

(c) After reviewing your variance petition and any comments from your employees and the public, the assistant secretary will decide if your proposed recordkeeping procedures will meet the purposes of the occupational safety and health act of 1970, 29 U.S.C. §651 et seq., will not otherwise interfere with the act, and will provide the same information as the 29 C.F.R. §1904 “Recording and Reporting of Occupational Injuries and Illnesses” as amended 2014, as adopted in R 408.22102a, regulations provide. If your procedures meet these criteria, the assistant secretary may grant the variance subject to such conditions as he or she finds appropriate.

(d) If the assistant secretary grants your variance petition, OSHA will publish a notice in the Federal Register to announce the variance. The notice will include the practices the variance allows you to use, any conditions that apply, and the reasons for allowing the variance.

(4) If I apply for a variance, may I use my proposed recordkeeping procedures while the assistant secretary is processing the variance petition? No. Alternative recordkeeping practices are only allowed after the variance is approved. You must comply with the 29 C.F.R §1904 “Recording and Reporting of Occupational Injuries and Illnesses,” as amended 2014, as adopted in R 408.22102a, regulations while the assistant secretary is reviewing your variance petition.

(5) If I have already been cited by MIOSHA for not following these rules, will my variance petition have any effect on the citation and penalty? No. In addition, the assistant secretary may elect not to review your variance petition if it includes an element for which you have been cited and the citation is still under review by a court, an administrative law judge (ALJ), or the MIOSHA review commission.

(6) If I receive a variance, may the assistant secretary revoke the variance at a later date? Yes, the assistant secretary may revoke your variance if he or she has good cause. The procedures revoking a variance will follow the same process as OSHA uses for reviewing variance petitions, as provided in subrule (3) of this rule. Except in cases of willfulness or where necessary for public safety, the assistant secretary will do both of the following:

(a) Notify you in writing of the facts or conduct that may warrant revocation of your variance.

(b) Provide you, your employees, and authorized employee representatives with an opportunity to participate in the revocation procedures.

R 408.22139 Reporting fatalities, hospitalizations, amputations, and losses of an eye as a result of work-related incidents to MIOSHA.

Rule 1139. (1) Fatalities. Within 8 hours after the death of any employee from a work-related incident, you must report the fatality by telephone to the MIOSHA toll-free central telephone number: 1-800-858-0397.

(2) Hospitalizations, amputations, and losses of an eye. Within 24 hours after the inpatient hospitalization of 1 or more employees or an employee's amputation or an employee's loss of an eye, as a result of a work-related incident, you must report the inpatient hospitalization, amputation, or loss of an eye to MIOSHA.

(3) You must report the inpatient hospitalization, amputation, or loss of an eye using 1 of the following methods:

(a) By telephone or in person to the MIOSHA office that is nearest to the site of the incident.

(b) By telephone to the MIOSHA toll-free central telephone number: 1-800-858-0397.

(c) By electronic submission using the reporting application located on MIOSHA's web site at www.michigan.gov/miosha.

(4) If the MIOSHA office is closed, may I report the inpatient hospitalization, amputation, or loss of an eye by leaving a message on MIOSHA's answering machine, faxing the bureau office, or sending an e-mail? No. If the MIOSHA office is closed, you must report the inpatient hospitalization, amputation, or loss of an eye using either the toll-free central telephone number: 1-800-858-0397 or the reporting application located on MIOSHA's web site at www.michigan.gov/miosha.

(5) What information do I need to give to MIOSHA about the fatality, inpatient hospitalization, amputation, or loss of an eye? You must give MIOSHA all of the following information for each fatality, inpatient hospitalization, amputation, or loss of an eye:

(a) The establishment's name.

(b) The location of the work-related incident.

(c) The time of the work-related incident.

(d) The type of reportable event, fatality, inpatient hospitalization, amputation, or loss of an eye.

(e) The number of employees who suffered a fatality, inpatient hospitalization, amputation, or loss of an eye

(f) The names of the employees who suffered a fatality, inpatient hospitalization, amputation, or loss of an eye.

(g) Your contact person and his or her phone number.

(h) A brief description of the work-related incident.

(6) Do I have to report the fatality, inpatient hospitalization, amputation, or loss of an eye if it resulted from a motor vehicle accident on a public street or highway? If the motor vehicle accident occurred in a construction work zone, you must report the fatality, inpatient hospitalization, amputation, or loss of an eye. If the motor vehicle accident occurred on a public street or highway, but not in a construction work zone, you do not have to report the fatality, inpatient hospitalization, amputation, or loss of an eye to MIOSHA. However, the fatality, inpatient hospitalization, amputation, or loss of an eye must be recorded on your MIOSHA injury and illness records, if you are required to keep such records.

(7) Do I have to report the fatality, inpatient hospitalization, amputation, or loss of an eye if it occurred on a commercial or public transportation system? No. You do not have to report the fatality, inpatient hospitalization, amputation, or loss of an eye to MIOSHA if it occurred on a commercial or public transportation system, such as an airplane, a train, subway, or bus. However, the fatality, inpatient hospitalization, amputation, or loss of an eye must be recorded on

your MIOSHA injury and illness records, if you are required to keep these records.

(8) Do I have to report a work-related fatality or inpatient hospitalization caused by a heart attack? Yes. The MIOSHA director will decide whether to investigate the incident, depending on the circumstances of the heart attack.

(9) What if the fatality, inpatient hospitalization, amputation, or loss of an eye does not occur during or right after the work-related incident? You must report a fatality to MIOSHA only if the fatality occurs within 30 days of the work-related incident. For an inpatient hospitalization, amputation, or loss of an eye, you must report the event to MIOSHA only if it occurs within 24 hours of the work-related incident. However, the fatality, inpatient hospitalization, amputation, or loss of an eye must be recorded on your MIOSHA injury and illness records, if you are required to keep these records.

(10) What if I don't learn about a reportable fatality, inpatient hospitalization, amputation, or loss of an eye right away? If you do not learn about a reportable fatality, inpatient hospitalization, amputation, or loss of an eye at the time it occurred, you must make the report to MIOSHA within the following time period after the fatality, inpatient hospitalization, amputation, or loss of an eye is reported to you or to any of your agents: 8 hours for a fatality, and 24 hours for an inpatient hospitalization, an amputation, or a loss of an eye.

(11) What if I don't learn right away that the reportable fatality, inpatient hospitalization, amputation, or loss of an eye was the result of a work-related incident? If you do not learn right away that the reportable fatality, inpatient hospitalization, amputation, or loss of an eye was the result of a work-related incident, you must make the report to MIOSHA within the following time period after you or any of your agents learn that the reportable fatality, inpatient hospitalization, amputation, or loss of an eye was the result of a work-related incident: 8 hours for a fatality, and 24 hours for an inpatient hospitalization, an amputation, or a loss of an eye.

(12) How does MIOSHA define "inpatient hospitalization"? MIOSHA defines inpatient hospitalization as a formal admission to the inpatient service of a hospital or clinic for care or treatment.

(13) Do I have to report an inpatient hospitalization that involves only observation or diagnostic testing? No. You do not have to report an inpatient hospitalization that involves only observation or diagnostic testing. You must report to MIOSHA each inpatient hospitalization that involves care or treatment.

(14) How does MIOSHA define "amputation"? An amputation is the traumatic loss of a limb or other external body part. Amputation includes all of the following:

(a) A part, such as a limb or appendage, that has been severed, cut off, amputated, either completely or partially.

(b) Fingertip amputations with or without bone loss.

(c) Medical amputations resulting from irreparable damage.

(d) Amputations of body parts that have since been reattached.

Amputations do not include avulsions, enucleations, degloving, scalping, severed ears, or broken or chipped teeth.

R 408.22151 Public employer petition for alternate record maintenance.

Rule 1151. A public employer who wishes to maintain records in a manner different from that required by this part shall submit a petition containing the information prescribed in R 408.22153 to the Department of Licensing and Regulatory Affairs, MIOSHA, 7150 Harris Drive, Box 30643, Lansing, Michigan 48909.

R 408.22156 Notice of exception; publication.

Rule 1156. Notice that an exception has been granted as prescribed by this part shall be published in the MIOSHA News, a quarterly publication of the department of licensing and regulatory affairs. This notice may summarize the alternative to the rules involved which the particular exception permits.

R 408.22161 Rescinded.

R 408.22162 Rescinded.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OCCUPATIONAL HEALTH STANDARDS

Filed with the Secretary of State on May 22, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 14 and 24 of 1974 PA 154, MCL 408.1014 and 408.1024, and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2008-4, and 2011-4, MCL 330.3101, 445.2001, 445.2011, 445.2025 and 445.2030.)

R 325.50902 of the Michigan administrative code is rescinded, as follows:

PART 509 ILLUMINATION

R 325.50902 Rescinded.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OCCUPATIONAL HEALTH STANDARDS

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R 325.51004 of the Michigan administrative code is rescinded, as follows:

PART 510 ILLUMINATION

R 325.51004 Rescinded.

**OPINIONS OF THE
ATTORNEY GENERAL**

MCL 14.32 states in part:

“It shall be the duty of the attorney general, when required, to give his opinion upon all questions of law submitted to him by the legislature, or by either branch thereof, or by the governor, auditor general, treasurer or any other state officer”

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(j) Attorney general opinions. ”

OPINIONS OF THE ATTORNEY GENERAL

STATE OF MICHIGAN

BILL SCHUETTE, ATTORNEY GENERAL

AUTOMOBILE THEFT Assessment of fees on motor vehicles
PREVENTION AUTHORITY: insured in state.

INSURANCE CODE:

Subsection 6107(1) of the Insurance Code (Code), MCL 500.6107(1), authorizes the Automobile Theft Prevention Authority to assess fees on all motor vehicles insured under MCL 500.3101 of the Code, not just private passenger vehicles.

Opinion No. 7284

June 1, 2015

The Honorable Kurt Heise
State Representative
The Capitol
Lansing, MI 48909

You have asked whether the Automobile Theft Prevention Authority (ATPA) of Michigan is “statutorily authorized to assess fees on all motor vehicles insured under” MCL 500.3101 or “only private passenger cars.”

The ATPA was statutorily created under and is governed by Chapter 61 of Michigan’s Insurance Code (Code), MCL 500.6101 *et seq.* The ATPA is a public body whose powers and duties are vested in and exercised by a board of directors. MCL 500.6103(1)-(2). The board includes two members representing insurance consumers, two members representing automobile insurers, two members representing law enforcement, and the Director of the Department of State Police or

her designee. MCL 500.6103(3). The ATPA is housed within the Department of State Police, but exercises its authority independently of the Department's Director. MCL 500.6103(7). The ATPA must operate pursuant to a plan of operation. MCL 500.6110.

The ATPA's purpose is to support activities that reduce automobile theft in Michigan. It accomplishes this goal primarily by administering the automobile theft prevention fund (Fund), MCL 500.6107(2)-(4), which provides financial support to the Department of State Police, local law enforcement agencies, local prosecutors, and other organizations, to operate programs designed to reduce automobile thefts.¹ According to its most recent report, "auto thefts declined by 2.4 percent in 2013" and "since the inception of the ATPA in 1986, Michigan's auto thefts have fallen from 72,021 to 24,369 per year, a decline of 66.2 percent."¹ Also, in Fiscal Year 2014, "ATPA teams made 1,976 arrests, and were involved in the recovery of 4,198 vehicles or parts with an estimated value of \$36 million."²

The ATPA is funded by an annual assessment as provided for in Section 6107, MCL 500.6107. Pursuant to Subsection 6107(1), insurers that write specific types of insurance coverage in Michigan are subject to the assessment, which is paid to the ATPA for deposit into the Fund:

¹ See ATPA's Plan of Operation, p 1, (May, 2012), available at http://michigan.gov/documents/mspatpa_PlanOperation_8775_7.pdf?20150323085350, (accessed April 7, 2015).

[E]ach insurer engaged in writing insurance coverages which provide the security required by section 3101(1) within this state, as a condition of its authority to transact insurance in this state, shall pay to the authority an assessment equal to \$1.00 multiplied by the insurer's total earned car years of insurance providing the security required by section 3101(1) written in this state during the immediately preceding calendar year. [MCL 500.6107(1).]

The phrase “earned car years” is not defined by statute, but as explained by the ATPA in the annual assessment form sent to insurers, “[a]n ‘Earned Car Year’ equals 12 months of insurance coverage on a vehicle. For example, if 12 cars are each insured for one month then the total assessment would be one Earned Car Year. Likewise, if 12 cars are each insured for 12 months then the total would equal 12 Earned Car Years.”³ The assessment due is the number of earned car years multiplied by \$1.00. Using the above examples: 1 (earned car year) x \$1.00 = \$1.00 assessment; 12 (earned car years) x \$1.00 = \$12.00 assessment. According to the ATPA’s most recent report, assessments for insurers range from \$1.00 to \$1 million based on the number of vehicles insured by the particular insurer. In Fiscal Year 2014, the ATPA received approximately \$6.27 million in assessments.⁴

You ask whether the ATPA is limited to assessing fees on only insured private passenger cars. Your request and accompanying materials focus on the phrase

¹ See ATPA’s 2014 Annual Report, Letter to Governor and Members of the Legislature, http://michigan.gov/documents/msp/ATPA_AR2014_480208_7.pdf?20150323085350, (accessed April 7, 2015).

² *Id.*

³ The assessment form is available at http://michigan.gov/msp/0,4643,7-123-1589_57983---,00.html, (accessed April 7, 2015).

⁴ See ATPA’s 2014 Annual Report, p 22, http://michigan.gov/documents/msp/ATPA_AR2014_480208_7.pdf?20150323085350,

“earned car years,” and suggest that use of the term “car” in MCL 500.6107(1) limits the type of motor vehicle insurance upon which an assessment may be based to private passenger vehicles.

As noted above, the phrase “earned car years” is not defined for purposes of Section 6107 of the Code. Broadening the inquiry reveals that the term “car years” is used in other chapters of the Code. Subsection 3104(7)(d), MCL 500.3104(7)(d), of Chapter 31, pertaining to the Michigan Catastrophic Claims Association (MCCA), uses the term “written car years” for purposes of calculating premiums charged by the MCCA on insurers. Likewise Subsection 3303(e)(i), MCL 500.3303(e)(i), of Chapter 33, regarding the Michigan Automobile Insurance Placement Facility, uses the phrase “car years written in this state” for purposes of its calculations. See also MCL 500.3340(4)(b). These chapters similarly do not define the term “car years.” Under these circumstances, the Legislature appears to have used the phrase “car years” as a term of art, rather than assigning it any specific meaning in the Code. The language of MCL 500.6107 must be reexamined with this understanding.

Looking again at Subsection 6107(1), the focus is properly placed on the language incorporating Section 3101(1) of the Code:

[E]ach insurer engaged in writing insurance coverages which provide the security required by section 3101(1) within this state, as a condition of its authority to transact insurance in this state, shall pay to the authority an assessment equal to \$1.00 multiplied by the insurer’s total earned car years of insurance providing the security required by

(accessed April 7, 2015). This amount is slightly higher than the \$6.25 million assessed in 2013. *Id.*

section 3101(1) written in this state during the immediately preceding calendar year. [MCL 500.6107(1); emphasis added.]

Under the statute, the ATPA is authorized to assess and collect a fee from each insurer writing insurance coverages that “provide the security required by section 3101(1)” of the Code. Stated another way, if an insurer’s motor vehicle insurance policy provides the insurance coverage mandated by MCL 500.3101(1), the ATPA is authorized to include that policy in its statutory assessment formula.

Subsection 3101(1) of the Code, MCL 500.3101(1), requires an “owner or registrant” of a “motor vehicle” that must be registered in Michigan to “maintain security for payment of benefits under personal protection insurance, property protection insurance, and residual liability insurance.” MCL 500.3101(2)(h) defines “motor vehicle” as “a vehicle, including a trailer, that is operated or designed for operation upon a public highway by power other than muscular power and has more than 2 wheels.” The definition of “motor vehicle” excludes motorcycles,¹ mopeds, farm equipment not subject to Michigan registration requirements, off-road vehicles as defined in Subsection 3101(j), golf carts, power-driven mobility devices, and commercial quadricycles. Thus, under Subsection 3101(1), the majority of vehicles operated on Michigan roadways are required to maintain an insurance policy providing personal protection insurance (i.e., “PIP” or first-party medical benefits), property protection insurance, and residual liability insurance. These insurance

¹ Section 3103 of the Code, MCL 500.3103, imposes different mandatory insurance requirements on owners or registrants of motorcycles.

coverages are mandatory, and standard, in both private passenger and commercial insurance policies.

When interpreting statutes, the goal is to “give effect to the Legislature’s intent, focusing first on the statute’s plain language.” *Malpass v Dep’t of Treasury*, 494 Mich 237, 247-48; 833 NW2d 272 (2013) (internal quotation omitted). In focusing on a statute’s plain language, we also must “examine the statute as a whole, reading individual words and phrases in the context of the entire legislative scheme.” *Id.*

Considering MCL 500.6107(1) and MCL 500.3101(1) together the statutes do not limit the ATPA to assessing only private passenger insurance policies. Instead, the ATPA has the statutory authority to assess every insurance policy written in Michigan that “provid[es] the security required by section 3101(1),” according to the statutory formula of \$1.00 multiplied by an insurer’s total earned car years of insurance providing this coverage.

This interpretation is consistent with that accorded similar language by the MCCA. The MCCA is statutorily created under Section 3104 of the Code, MCL 500.3104, as an unincorporated nonprofit association designed to reimburse catastrophic PIP claims paid by insurers resulting from motor vehicle accidents.¹

¹ The MCCA is governed by a five-member Board of Directors appointed by the Director of the Department of Insurance and Financial Services (DIFS). MCL 500.3104(9), (13), and (14). The Director of DIFS also serves as an *ex officio* member of the Board. MCL 500.3104(13).

Like the ATPA, the MCCA must operate in compliance with a plan of operation. See MCL 500.3104(9), (10), and (17).

Employing the same language found in MCL 500.6107(1) regarding the scope of the ATPA’s assessment authority, MCL 500.3104(1) requires “[e]ach insurer engaged in writing insurance coverages that provide *the security required by section 3101(1)* within this state, as a condition of its authority to transact insurance in this state” to be a member of the MCCA. (Emphasis added). The MCCA’s assessment formula then authorizes the MCCA to charge each member “an amount equal to that member’s total written car years *of insurance providing the security required by section 3101(1) or 3103(1), or both, written in this state* during the period to which the premium applies, multiplied by the average premium per car.” MCL 500.3104(7)(d) (emphasis added).

Thus, although the MCCA is additionally authorized to assess motorcycle policies (under Subsection 3103(1)) and its assessment formula is slightly different than the ATPA’s (total written car years versus total earned car years, multiplied by the average MCCA premium per car), Subsection 3104(7)(d) similarly authorizes the MCCA to assess every insurance policy written in Michigan that “provid[es] the security required by section 3101(1).”¹ Consistent with this statutory authority, the MCCA’s plan of operation includes in its assessment calculation insurance policies

¹ Unlike the statutes regarding the ATPA and the MCCA, the statutes creating the Michigan Automobile Insurance Placement Facility, discussed briefly above, expressly distinguish between private passenger vehicles and other types of vehicles. See MCL 500.3303(a)(iv); MCL 500.3303(e)(i); MCL 500.3303(f); MCL 500.3320(1); MCL 500.3321.

written in Michigan “providing *to any and all vehicles . . .* the security required by Sections 3101 and 3103.” (Emphasis added).¹

At this time, the ATPA’s plan of operation assesses insurers “\$1 (\$1 per car/per year) per *private passenger vehicle policy year* earned in the previous year.” (Emphasis added).² Consistent with its statutory mandate, the ATPA Board may amend its plan of operation to include within its assessment other insurance policies that provide the security required by MCL 500.3101(1) of the Code.

It is my opinion, therefore, that MCL 500.6107(1) authorizes the ATPA to assess fees on all motor vehicles insured under MCL 500.3101 of the Code, not just private passenger vehicles.



BILL SCHUETTE
Attorney General

¹ See MCCA’s Plan of Operation, §4.01(h), (November 20, 2013), available at, www.michigancatastrophic.com/about/PlanOperation/tabid/100/Default.aspx (accessed April 7, 2015).

² ATPA’s Plan of Operation, p 1 (May, 2012), available at, www.michigan.gov/documents/mspatpa_PlanOperation_8775_7.pdf?20150222185706 (accessed April 7, 2015).

**CORRECTION OF OBVIOUS
ERRORS IN PUBLICATION**

MCL 24.256(1) states in part:

“Sec. 56. (1) The Office of Regulatory Reform shall perform the editorial work for the Michigan register and the Michigan Administrative Code and its annual supplement. The classification, arrangement, numbering, and indexing of rules shall be under the ownership and control of the Office of Regulatory Reform, shall be uniform, and shall conform as nearly as practicable to the classification, arrangement, numbering, and indexing of the compiled laws. The Office of Regulatory Reform may correct in the publications obvious errors in rules when requested by the promulgating agency to do so...”

**CORRECTION OF OBVIOUS
ERRORS IN PUBLICATION**

May 28, 2015

Liz Smalley
Office of Regulatory Reinvention
Ottawa Building-2nd Floor
611 W. Ottawa St.
Lansing, MI 48909

Ms. Smalley

In accordance with MCL 24.256(1) of the Administrative Procedures Act, we are asking your office to correct two obvious errors noted in the Proprietary Schools rules in R 390.562 and R 390.569(2).

R 390.562 currently states:

- (1) Housing and facilities shall conform to standards specified by the appropriate local and state authorities.
- (2) The department shall issue an applicant school a permit for a 12-month period before issuing a license. A permit authorizes the applicant to offer specific programs at a definite location under the management as stated on an application. A separate permit is required for each location at which instruction is offered, except a school may offer instruction at an auxiliary classroom or a public assembly site without obtaining a separate permit for that location.

R 390.562 should state:

- Rule 2. (1) Housing and facilities shall conform to standards specified by the appropriate local and state authorities.
- (2) The department shall issue an applicant school a permit for a 12-month period before issuing a license. A permit authorizes the applicant to offer specific programs at a definite location under the management as stated on an application. A separate permit is required for each location at which instruction is offered, except a school may offer instruction at an auxiliary classroom or a public assembly site without obtaining a separate permit for that location.

R 390.569(2) currently states:

- An applicant for renewal of a license shall pay a fee of \$300.00 for each renewal license issued if a total of 25 or fewer students started a program during the 6 period July 1 to June 30 immediately preceding the license renewal date. An applicant for a renewal of a license for a proprietary school shall pay a renewal fee based on the following schedule of students who started licensed programs:
- (a) 26 to 50 students \$500.00.

- (b) 51 to 100 students 600.00.
- (c) 101 to 150 students 700.00.
- (d) 151 to 200 students 800.00.
- (e) 201 to 250 students. 900.00.
- (f) 251 to 300 students 1,000.00.
- (g) 301 to 350 students 1,100.00.
- (h) 351 to 400 students 1,200.00.
- (i) 401 to 450 students 1,300.00.
- (j) 451 to 500 students 1,400.00.
- (k) More than 500 students 1,500.00.

The department shall adjust fees annually and shall index the fees to the Detroit consumer price index, as published by the department of labor statistics, United States department of labor.

R 390.569(2) should state:

An applicant for renewal of a license shall pay a fee of \$300.00 for each renewal license issued if a total of 25 or fewer students started a program during the period July 1 to June 30 immediately preceding the license renewal date. An applicant for a renewal of a license for a proprietary school shall pay a renewal fee based on the following schedule of students who started programs:

- (a) 26 to 50 students \$500.00.
- (b) 51 to 100 students 600.00.
- (c) 101 to 150 students 700.00.
- (d) 151 to 200 students 800.00.
- (e) 201 to 250 students. 900.00.
- (f) 251 to 300 students 1,000.00.
- (g) 301 to 350 students 1,100.00.
- (h) 351 to 400 students 1,200.00.
- (i) 401 to 450 students 1,300.00.
- (j) 451 to 500 students 1,400.00.
- (k) More than 500 students 1,500.00.

The department shall adjust fees annually and shall index the fees to the Detroit consumer price index, as published by the department of labor statistics, United States department of labor.

The rule number was missing from R 390.562 and a “6” was erroneously included in line 2 of R 390.569(2). This amended language adds the rule number to R 390.562 and removes the “6” from line 2 of R 390.569(2).

As such, we are requesting R 390.562 and R 390.569(2) be amended in accordance with MCL 24.256(1), due to obvious errors.

If you have any questions or concerns, please contact me at 517-373-9871.

Sincerely,

Stephani Fleming, Assistant Administrator
LARA – Corporations, Securities, and Commercial Licensing Bureau

(2015 SESSION)

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

** * **

(i) Other official information considered necessary or appropriate by the Office of Regulatory Reform.”

The following table cites administrative rules promulgated during the year 2000, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).

**MICHIGAN ADMINISTRATIVE CODE TABLE
(2015 RULE FILINGS)**

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
30.58	*	9	38.1672	R	1	205.2009	A	9
38.22	R	1	38.1673	R	1	205.2010	A	9
38.23	R	1	38.1674	R	1	205.2011	A	9
38.24	R	1	38.1675	R	1	225.1	R	1
38.25	R	1	38.1676	R	1	225.2	R	1
38.28	R	1	38.1677	R	1	225.3	R	1
38.71	R	1	38.1678	R	1	225.4	R	1
38.72	R	1	38.1679	R	1	225.5	R	1
38.73	R	1	38.1680	R	1	225.6	R	1
38.74	R	1	38.1681	R	1	225.7	R	1
38.75	R	1	38.1682	R	1	225.8	R	1
38.76	R	1	38.1683	R	1	225.9	R	1
38.77	R	1	38.1684	R	1	225.10	R	1
38.78	R	1	38.1685	R	1	247.351	R	1
38.79	R	1	38.1686	R	1	247.403	R	1
38.80	R	1	38.2171	R	1	247.404	R	1
38.81	R	1	38.2172	R	1	247.405	R	1
38.82	R	1	38.2173	R	1	247.406	R	1
38.83	R	1	38.2174	R	1	247.741	R	1
38.84	R	1	38.2175	R	1	247.742	R	1
38.85	R	1	38.2176	R	1	247.748	R	1
38.86	R	1	38.2177	R	1	281.811	*	5
38.1371	R	1	38.2178	R	1	285.900.1	R	3
38.1372	R	1	38.2179	R	1	299.4101	*	5
38.1373	R	1	38.2180	R	1	299.4102	*	5
38.1374	R	1	38.2181	R	1	299.4103	*	5
38.1375	R	1	38.2182	R	1	299.4104	*	5
38.1376	R	1	38.2183	R	1	299.4105	*	5
38.1377	R	1	38.2184	R	1	299.4106a	*	5
38.1378	R	1	38.2185	R	1	299.4110	*	5
38.1379	R	1	38.2186	R	1	299.4111	*	5
38.1380	R	1	205.2001	A	9	299.4117	*	5
38.1381	R	1	205.2002	A	9	299.4121	*	5
38.1382	R	1	205.2003	A	9	299.4128	*	5
38.1383	R	1	205.2004	A	9	299.4201	*	5
38.1384	R	1	205.2005	A	9	299.4203	*	5
38.1385	R	1	205.2006	A	9	299.4302	*	5
38.1386	R	1	205.2007	A	9	299.4307	*	5
38.1671	R	1	205.2008	A	9	299.4318	*	5

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
299.4420	*	5	324.59c	R	1	324.613	*	5
299.4428	*	5	324.59d	R	1	324.705	*	5
299.4430	*	5	324.59e	R	1	324.801	*	5
299.4440	*	5	324.61	R	1	324.1015	*	5
299.4701	*	5	324.62	R	1	324.1103	*	5
299.4702	*	5	324.63	R	1	324.1202	*	5
299.4703	*	5	324.64	R	1	324.1204	*	5
299.4706	*	5	324.65	R	1	324.1206	*	5
299.4707	*	5	324.71	R	1	324.1401	A	5
299.4708	*	5	324.72	R	1	324.1402	A	5
299.4709	*	5	324.75	R	1	324.1403	A	5
299.4710	*	5	324.102	*	5	324.1404	A	5
299.4711	*	5	324.130	*	5	324.1405	A	5
299.4712	*	5	324.201	*	5	324.1406	A	5
299.4806	*	5	324.202	*	5	325.9087	R	9
299.4118a	A	5	324.203	*	5	325.9081	*	9
324.1	R	1	324.206	*	5	325.9082	*	9
324.2	R	1	324.210	*	5	325.9083	*	9
324.3	R	1	324.301	*	5	325.9084	*	9
324.21	R	1	324.302	*	5	350.9085	*	9
324.23	R	1	324.303	*	5	325.9086	*	9
324.24	R	1	324.407	*	5	325.9571	R	1
324.31	R	1	324.411	*	5	325.9572	R	1
324.32	R	1	324.102	*	5	325.9573	R	1
324.33	R	1	324.130	*	5	325.9574	R	1
324.41	R	1	324.201	*	5	325.9575	R	1
324.42	R	1	324.202	*	5	325.9576	R	1
324.43	R	1	324.203	*	5	325.9577	R	1
324.51	R	1	324.206	*	5	325.9578	R	1
324.52	R	1	324.210	*	5	325.9579	R	1
324.53	R	1	324.301	*	5	325.9580	R	1
324.54	R	1	324.302	*	5	325.9581	R	1
324.55	R	1	324.303	*	5	325.9582	R	1
324.56	R	1	324.407	*	5	325.22346	R	1
324.57	R	1	324.411	*	5	325.22347	R	1
324.58	R	1	324.413	*	5	325.22348	R	1
324.59	R	1	324.418	*	5	325.22349	R	1
324.59a	R	1	324.503	*	5	325.22350	R	1
324.59b	R	1	324.511	*	5	325.22351	R	1

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
325.22352	R	1	325.50061	*	7	325.51158	*	4
325.22353	R	1	325.50062	*	7	325.51162	*	4
325.22354	R	1	325.50063	*	7	325.51163	*	4
325.22355	R	1	325.50064	*	7	325.51164	*	4
325.22356	R	1	325.50065	*	7	325.51166	*	4
325.22357	R	1	325.50066	*	7	325.51167	*	4
325.22358	R	1	325.50067	*	7	325.51169	*	4
325.22359	R	1	325.50068	*	7	325.51172	*	4
325.22360	R	1	325.50069	*	7	325.51173	*	4
325.22361	R	1	325.50070	*	7	325.51174	*	4
325.22362	R	1	325.50071	*	7	325.51175	*	4
325.47401	A	4	325.50072	*	7	325.51151a	A	4
325.47403	A	4	325.50051a	A	7	325.51156a	A	4
325.47405	A	4	325.50053a	A	7	325.51168a	A	4
325.47407	A	4	325.50056a	A	7	325.51177	R	4
325.47408	A	4	325.50056b	A	7	325.51501	*	4
325.47409	A	4	325.50056c	A	7	325.51502	*	4
325.47410	A	4	325.50056d	A	7	325.51505	*	4
325.47411	A	4	325.50056e	A	7	325.51507	*	4
325.47414	A	4	325.50059a	A	7	325.51508	*	4
325.47415	A	4	325.50059b	A	7	325.51509	*	4
325.47416	A	4	325.50060a	A	7	325.51510	*	4
325.47417	A	4	325.50060b	A	7	325.51511	*	4
325.47418	A	4	325.50061a	A	7	325.51513	*	4
325.47419	A	4	325.50061b	A	7	325.51516	*	4
325.47420	A	4	325.50061c	A	7	325.51517	*	4
325.47424	A	4	325.50062a	A	7	325.51519	*	4
325.47425	A	4	325.50062b	A	7	325.51520	*	4
OHR 4201	R	4	325.50063a	A	7	325.51521	*	4
OHR 4202	R	4	325.50063b	A	7	325.51522	*	4
325.50051	*	7	325.50064a	A	7	325.51523	*	4
325.50052	*	7	325.50064b	A	7	325.51524	*	4
325.50054	*	7	325.50067a	A	7	325.51525	*	4
325.50055	*	7	325.50067b	A	7	325.51526	*	4
325.50056	*	7	325.50067c	A	7	325.51501a	A	4
325.50057	*	7	325.50069a	A	7	325.51519a	A	4
325.50058	*	7	325.50070a	A	7	325.51504	R	4
325.50059	*	7	325.51152	*	4	325.51527	R	4
325.50060	*	7	325.51156	*	4	325.51902	*	4

(* Amendment to Rule, A Added Rule, N New Rule, R Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
325.51903	*	4	325.51945	*	4	338.1616	R	1
325.51904	*	4	325.51946	*	4	338.1617	R	1
325.51905	*	4	325.51947	*	4	338.1618	R	1
325.51906	*	4	325.51948	*	4	338.1619	R	1
325.51907	*	4	325.51949	*	4	338.1620	R	1
325.51908	*	4	325.51950	*	4	338.1621	R	1
325.51909	*	4	325.51950a	*	4	338.1622	R	1
325.51910	*	4	325.51950b	*	4	338.1623	R	1
325.51912	*	4	325.51951	*	4	338.1624	R	1
325.51913	*	4	325.51952	*	4	338.1625	R	1
325.51914	*	4	325.51953	*	4	338.1626	R	1
325.51915	*	4	325.51955	*	4	338.1627	R	1
325.51916a	*	4	325.51956	*	4	338.1628	R	1
325.51916b	*	4	325.51957	*	4	338.1629	R	1
325.51917	*	4	325.51902a	A	4	338.1633	R	1
325.51918	*	4	325.51924a	A	4	338.1634	R	1
325.51922	*	4	325.51921	R	4	338.1635	R	1
325.51923	*	4	325.51958	R	4	338.1636	R	1
325.51924	*	4	333.101	*	1	338.1637	R	1
325.51925	*	4	333.103	*	1	338.3001	R	5
325.51926	*	4	333.105	*	1	338.3002	R	5
325.51928	*	4	333.109	*	1	338.3003	R	5
325.51929	*	4	333.111	*	1	338.3004	R	5
325.51930	*	4	333.113	*	1	338.3005	R	5
325.51931	*	4	333.117	*	1	338.3006	R	5
325.51931a	*	4	333.119	*	1	338.3007	R	5
325.51932	*	4	333.123	*	1	338.3801	R	6
325.51933	*	4	333.125	*	1	338.11109	R	6
325.51934	*	4	333.131	*	1	338.11115	R	6
325.51935	*	4	333.133	*	1	338.30310	R	5
325.51936	*	4	333.126	A	1	339.1701	R	1
325.51937	*	4	333.107	R	1	339.1705	R	1
325.51938	*	4	333.121	R	1	339.1709	R	1
325.51938a	*	4	333.127	R	1	339.1713	R	1
325.51939	*	4	338.1601	R	1	339.1721	R	1
325.51940	*	4	338.1602	R	1	339.1741	R	1
325.51941	*	4	338.1610	R	1	339.1743	R	1
325.51943	*	4	338.1611	R	1	339.1745	R	1
325.51944	*	4	338.1614	R	1	339.1747	R	1

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
339.1751	R	1	400.901	R	1	400.3178	*	6
339.1755	R	1	400.902	R	1	400.3179	*	6
339.1757	R	1	400.903	R	1	400.3167	R	6
339.1759	R	1	400.905	R	1	400.3401	R	1
339.1761	R	1	400.906	R	1	400.3403	R	1
339.1763	R	1	400.907	R	1	400.3409	R	1
339.1765	R	1	400.908	R	1	400.3410	R	1
339.1767	R	1	400.909	R	1	400.3411	R	1
339.1771	R	1	400.910	R	1	400.3412	R	1
339.23102	*	5	400.911	R	1	400.3413	R	1
339.23403	*	5	400.912	R	1	400.3414	R	1
340.1883	R	1	400.913	R	1	400.3415	R	1
340.1884	R	1	400.914	R	1	400.3416	R	1
340.1885	R	1	400.915	R	1	400.3417	R	1
380.126	R	1	400.916	R	1	400.3418	R	1
380.127	R	1	400.917	R	1	400.3419	R	1
380.128	R	1	400.918	R	1	400.3420	R	1
380.129	R	1	400.919	R	1	400.3421	R	1
380.132	R	1	400.920	R	1	400.3422	R	1
380.133	R	1	400.921	R	1	400.3423	R	1
380.134	R	1	400.922	R	1	400.4101	*	9
390.1202	R	1	400.941	R	1	400.4104	*	9
390.1206	R	1	400.3151	*	6	400.4105	*	9
390.1207	R	1	400.3155	*	6	400.4106	*	9
390.1209	R	1	400.3156	*	6	400.4108	*	9
390.1210	R	1	400.3157	*	6	400.4109	*	9
390.1212	R	1	400.3158	*	6	400.4111	*	9
390.1213	R	1	400.3159	*	6	400.4112	*	9
390.1214	R	1	400.3160	*	6	400.4113	*	9
390.1251	R	1	400.3161	*	6	400.4114	*	9
400.10	A	9	400.3162	*	6	400.4116	*	9
400.11	A	9	400.3163	*	6	400.4117	*	9
400.12	A	9	400.3164	*	6	400.4118	*	9
400.13	A	9	400.3165	*	6	400.4119	*	9
400.14	A	9	400.3168	*	6	400.4120	*	9
400.15	A	9	400.3169	*	6	400.4121	*	9
400.16	A	9	400.3170	*	6	400.4126	*	9
400.17	A	9	400.3171	*	6	400.4127	*	9
400.18	A	9	400.3173	*	6	400.4128	*	9

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
400.4131	*	9	400.4554	*	9	400.4155	A	9
400.4132	*	9	400.4555	*	9	400.4156	A	9
400.4134	*	9	400.4559	*	9	400.4157	A	9
400.4137	*	9	400.4560	*	9	400.4158	A	9
400.4138	*	9	400.4562	*	9	400.4159	A	9
400.4141	*	9	400.4563	*	9	400.4162	A	9
400.4142	*	9	400.4566	*	9	400.4164	A	9
400.4143	*	9	400.4568	*	9	400.4165	A	9
400.4144	*	9	400.4601	*	9	400.4166	A	9
400.4145	*	9	400.4602	*	9	400.4505	A	9
400.4146	*	9	400.4612	*	9	400.4604	A	9
400.4147	*	9	400.4618	*	9	400.4605	A	9
400.4148	*	9	400.4620	*	9	400.4621	A	9
400.4150	*	9	400.4623	*	9	400.4168	R	9
400.4152	*	9	400.4632	*	9	400.4169	R	9
400.4160	*	9	400.4635	*	9	400.4170	R	9
400.4161	*	9	400.4638	*	9	400.4172	R	9
400.4163	*	9	400.4640	*	9	400.4173	R	9
400.4167	*	9	400.4652	*	9	400.4175	R	9
400.4501	*	9	400.4657	*	9	400.4176	R	9
400.4502	*	9	400.4666	*	9	400.4177	R	9
400.4504	*	9	400.4102	A	9	400.4178	R	9
400.4510	*	9	400.4103	A	9	400.4181	R	9
400.4512	*	9	400.4107	A	9	400.4182	R	9
400.4515	*	9	400.4110	A	9	400.4183	R	9
400.4517	*	9	400.4115	A	9	400.4201	R	9
400.4520	*	9	400.4122	A	9	400.4231	R	9
400.4522	*	9	400.4123	A	9	400.4232	R	9
400.4523	*	9	400.4124	A	9	400.4234	R	9
400.4524	*	9	400.4125	A	9	400.4237	R	9
400.4527	*	9	400.4129	A	9	400.4238	R	9
400.4532	*	9	400.4135	A	9	400.4302	R	9
400.4535	*	9	400.4136	A	9	400.4331	R	9
400.4538	*	9	400.4139	A	9	400.4332	R	9
400.4540	*	9	400.4140	A	9	400.4334	R	9
400.4545	*	9	400.4149	A	9	400.4335	R	9
400.4546	*	9	400.4151	A	9	400.4336	R	9
400.4548	*	9	400.4153	A	9	400.4337	R	9
400.4552	*	9	400.4154	A	9	400.4338	R	9

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
400.4513	R	9	408.10601	*	8	408.14001	*	7
400.7025	R	9	408.10603	*	8	408.14002	*	7
400.7028	R	9	408.10604	*	8	408.14004	*	7
400.7001	*	9	408.10605	*	8	408.14005	*	7
400.7002	*	9	408.10606	*	8	408.14008	*	7
400.7003	*	9	408.10611	*	8	408.14009	*	7
400.7004	*	9	408.10612	*	8	408.14001a	A	7
400.7006	*	9	408.10613	*	8	408.14001b	A	7
400.7007	*	9	408.10621	*	8	408.15001	*	8
400.7008	*	9	408.10623	*	8	408.15002	*	8
400.7009	*	9	408.10624	*	8	408.15003	*	8
400.7010	*	9	408.10631	*	8	408.15004	A	8
400.7011	*	9	408.10632	*	8	408.15501	*	8
400.7012	*	9	408.10633	*	8	408.15601	*	8
400.7013	*	9	408.10634	*	8	408.15915	*	7
400.7014	*	9	408.10636	*	8	408.15922	*	7
400.7015	*	9	408.10639	*	8	408.15923	*	7
400.7016	*	9	408.10641	*	8	408.15903	A	7
400.7017	*	9	408.10643	*	8	408.15911	R	7
400.7018	*	9	408.10644	*	8	408.16204	*	7
400.7019	*	9	408.10645	*	8	408.16223	*	7
400.7020	*	9	408.10647	*	8	408.16227	*	7
400.7021	*	9	408.10661	*	8	408.16234	*	7
400.7022	*	9	408.10664	*	8	408.16237	*	7
400.7024	*	9	408.10671	*	8	408.16251	*	7
400.7026	*	9	408.10673	*	8	408.16202	A	7
400.7027	*	9	408.10675	*	8	408.17801	*	8
400.7029	*	9	408.10677	*	8	408.18602	*	9
400.7030	*	9	408.10685	*	8	408.18605	A	9
400.7031	*	9	408.10686	*	8	408.22951	R	1
400.7032	*	9	408.10695	*	8	408.22952	R	1
400.7033	*	9	408.10696	*	8	408.22953	R	1
400.7034	*	9	408.10627	A	8	408.22954	R	1
408.6203	R	5	408.10680	A	8	408.22955	R	1
408.6204	R	5	408.10637	R	8	408.22956	R	1
408.6206	R	5	408.10638	R	8	408.22957	R	1
408.6208	R	5	408.13901	*	9	408.22958	R	1
408.6209	R	5	408.13902	*	9	408.22959	R	1
408.6301	R	5	408.13905	A	9	408.22960	R	1

(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
408.22961	R	1	408.40762	*	4	408.42710	R	7
408.22962	R	1	408.41802	*	7	408.42724	R	7
408.22963	R	1	408.41836	*	7	408.42725	R	7
408.22964	R	1	408.41837	*	7	408.42726	R	7
408.22965	R	1	408.41838	*	7	408.42727	R	7
408.22966	R	1	408.41841	*	7	408.42728	R	7
408.22967	R	1	408.41851	*	7	408.42731	R	7
408.22968	R	1	408.41852	*	7	408.42732	R	7
408.22969	R	1	408.41853	*	7	408.42733	R	7
408.22970	R	1	408.41854	*	7	408.42734	R	7
408.22971	R	1	408.41855	*	7	408.42735	R	7
408.40115	*	4	408.41861	*	7	408.42737	R	7
408.40120	*	4	408.41862	*	7	408.42741	R	7
408.40121	*	4	408.41863	*	7	408.42742	R	7
408.40122	*	4	408.41864	*	7	408.42743	R	7
408.40123	*	4	408.41865	*	7	408.42744	R	7
408.40128	*	4	408.41866	*	7	408.42751	R	7
408.40130	*	4	408.41867	*	7	408.42752	R	7
408.40131	*	4	408.41868	*	7	408.42753	R	7
408.40132	*	4	408.41869	*	7	408.42754	R	7
408.40133	*	4	408.41874	*	7	408.42755	R	7
408.40105	A	4	408.41875	*	7	408.42757	R	7
408.40601	*	6	408.41877	*	7	408.42758	R	7
408.40603	*	6	408.41884	*	7	408.42759	R	7
408.40617a	*	6	408.41861a	A	7	408.42761	R	7
408.40623	*	6	408.41861b	A	7	408.42762	R	7
408.40625	*	6	408.41861c	A	7	408.42763	R	7
408.40631	*	6	408.41861d	A	7	408.42799	R	7
408.40650	A	6	408.41877a	A	7	408.44501	*	7
408.40655	A	6	408.41871	R	7	408.44502	*	7
408.40660	A	6	408.41872	R	7	418.1	R	1
408.40709	*	4	408.41876	R	7	418.2	R	1
408.40713	*	4	408.41878	R	7	418.3	R	1
408.40721	*	4	408.41879	R	7	418.4	R	1
408.40722	*	4	408.41881	R	7	418.5	R	1
408.40723	*	4	408.41882	R	7	418.6	R	1
408.40731	*	4	408.41883	R	7	418.7	R	1
408.40751	*	4	408.42701	*	7	418.8	R	1
408.40761	*	4	408.42705	A	7	418.51	R	1

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418.52	R	1	421.1310	R	1	460.17339	R	1
418.53	R	1	421.1311	R	1	460.17341	R	1
418.54	R	1	421.1313	R	1	460.17401	R	1
418.55	R	1	421.1314	R	1	460.17403	R	1
418.56	R	1	421.1315	R	1	460.17405	R	1
418.57	R	1	421.1316	R	1	460.17501	R	1
418.58	R	1	421.1317	R	1	460.17503	R	1
421.1101	R	1	460.17101	R	1	460.17505	R	1
421.1102	R	1	460.17103	R	1	460.17507	R	1
421.1103	R	1	460.17105	R	1	460.17509	R	1
421.1104	R	1	460.17107	R	1	460.17511	R	1
421.1105	R	1	460.17109	R	1	460.17513	R	1
421.1106	R	1	460.17111	R	1	460.17515	R	1
421.1107	R	1	460.17113	R	1	460.17601	R	1
421.1108	R	1	460.17115	R	1	460.17701	R	1
421.1109	R	1	460.17201	R	1	500.2101	R	1
421.1110	R	1	460.17203	R	1	500.2105	R	1
421.1201	R	1	460.17205	R	1	500.2106	R	1
421.1202	R	1	460.17207	R	1	500.2107	R	1
421.1203	R	1	460.17209	R	1	500.2109	R	1
421.1204	R	1	460.17301	R	1	500.2110	R	1
421.1205	R	1	460.17303	R	1	500.2111	R	1
421.1206	R	1	460.17305	R	1	500.2112	R	1
421.1207	R	1	460.17307	R	1	500.2113	R	1
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421.1210	R	1	460.17313	R	1	500.2116	R	1
421.1211	R	1	460.17315	R	1	500.2117	R	1
421.1212	R	1	460.17317	R	1	500.2118	R	1
421.1213	R	1	460.17319	R	1	500.2119	R	1
421.1214	R	1	460.17321	R	1	500.2120	R	1
421.1301	R	1	460.17323	R	1	500.2121	R	1
421.1302	R	1	460.17325	R	1	500.2122	R	1
421.1304	R	1	460.17327	R	1	500.2123	R	1
421.1305	R	1	460.17329	R	1	500.2124	R	1
421.1306	R	1	460.17331	R	1	500.2125	R	1
421.1307	R	1	460.17333	R	1	500.2126	R	1
421.1308	R	1	460.17335	R	1	500.2127	R	1
421.1309	R	1	460.17337	R	1	500.2128	R	1

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500.2129	R	1	554.68	R	5	792.10133	A	1
500.2130	R	1	554.69	R	5	792.10134	A	1
500.2131	R	1	554.70	R	5	792.10135	A	1
500.2134	R	1	554.71	R	5	792.10136	A	1
500.2136	R	1	791.3301	R	1	792.10137	A	1
500.2137	R	1	791.3305	R	1	792.10201	*	1
500.2138	R	1	791.3310	R	1	792.10203	*	1
554.1	R	5	791.3315	R	1	792.10205	*	1
554.2	R	5	792.10101	A	1	792.10207	*	1
554.3	R	5	792.10102	A	1	792.10209	*	1
554.4	R	5	792.10103	A	1	792.10211	*	1
554.5	R	5	792.10104	A	1	792.10213	*	1
554.6	R	5	792.10105	A	1	792.10215	*	1
554.21	R	5	792.10106	A	1	792.10219	*	1
554.22	R	5	792.10107	A	1	792.10221	*	1
554.23	R	5	792.10108	A	1	792.10223	*	1
554.24	R	5	792.10109	A	1	792.10225	*	1
554.25	R	5	792.10110	A	1	792.10227	*	1
554.26	R	5	792.10111	A	1	792.10229	*	1
554.27	R	5	792.10112	A	1	792.10231	*	1
554.28	R	5	792.10113	A	1	792.10233	*	1
554.29	R	5	792.10114	A	1	792.10237	*	1
554.31	R	5	792.10115	A	1	792.10239	*	1
554.32	R	5	792.10116	A	1	792.10241	*	1
554.33	R	5	792.10117	A	1	792.10243	*	1
554.34	R	5	792.10118	A	1	792.10247	*	1
554.35	R	5	792.10119	A	1	792.10251	*	1
554.41	R	5	792.10120	A	1	792.10253	*	1
554.42	R	5	792.10121	A	1	792.10255	*	1
554.51	R	5	792.10122	A	1	792.10257	*	1
554.52	R	5	792.10123	A	1	792.10259	*	1
554.53	R	5	792.10124	A	1	792.10261	*	1
554.61	R	5	792.10125	A	1	792.10263	*	1
554.62	R	5	792.10126	A	1	792.10265	*	1
554.63	R	5	792.10128	A	1	792.10269	*	1
554.64	R	5	792.10129	A	1	792.10271	*	1
554.65	R	5	792.10130	A	1	792.10273	*	1
554.66	R	5	792.10131	A	1	792.10275	*	1
554.67	R	5	792.10132	A	1	792.10277	*	1

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792.10279	*	1	792.10430	A	1	792.10609	A	1
792.10283	*	1	792.10431	A	1	792.10701	A	1
792.10287	*	1	792.10432	A	1	792.10702	A	1
792.10289	*	1	792.10433	A	1	792.10703	A	1
792.10301	A	1	792.10434	A	1	792.10704	A	1
792.10302	A	1	792.10435	A	1	792.10705	A	1
792.10303	A	1	792.10436	A	1	792.10706	A	1
792.10304	A	1	792.10437	A	1	792.10707	A	1
792.10305	A	1	792.10438	A	1	792.10708	A	1
792.10306	A	1	792.10439	A	1	792.10709	A	1
792.10401	A	1	792.10440	A	1	792.10710	A	1
792.10402	A	1	792.10441	A	1	792.10711	A	1
792.10403	A	1	792.10442	A	1	792.10712	A	1
792.10404	A	1	792.10443	A	1	792.10713	A	1
792.10405	A	1	792.10444	A	1	792.10714	A	1
792.10406	A	1	792.10445	A	1	792.10715	A	1
792.10407	A	1	792.10446	A	1	792.10801	A	1
792.10408	A	1	792.10447	A	1	792.10802	A	1
792.10409	A	1	792.10448	A	1	792.10803	A	1
792.10410	A	1	792.10501	A	1	792.10804	A	1
792.10411	A	1	792.10502	A	1	792.10805	A	1
792.10412	A	1	792.10503	A	1	792.10806	A	1
792.10413	A	1	792.10504	A	1	792.10807	A	1
792.10414	A	1	792.10505	A	1	792.10808	A	1
792.10415	A	1	792.10506	A	1	792.10809	A	1
792.10416	A	1	792.10507	A	1	792.10901	A	1
792.10417	A	1	792.10508	A	1	792.10902	A	1
792.10418	A	1	792.10509	A	1	792.10903	A	1
792.10419	A	1	792.10510	A	1	792.10904	A	1
792.10420	A	1	792.10511	A	1	792.10905	A	1
792.10421	A	1	792.10512	A	1	792.10906	A	1
792.10422	A	1	792.10601	A	1	792.10907	A	1
792.10423	A	1	792.10602	A	1	792.10908	A	1
792.10424	A	1	792.10603	A	1	792.10909	A	1
792.10425	A	1	792.10604	A	1	792.10910	A	1
792.10426	A	1	792.10605	A	1	792.10911	A	1
792.10427	A	1	792.10606	A	1	792.10912	A	1
792.10428	A	1	792.10607	A	1	792.11001	A	1
792.10429	A	1	792.10608	A	1	792.11002	A	1

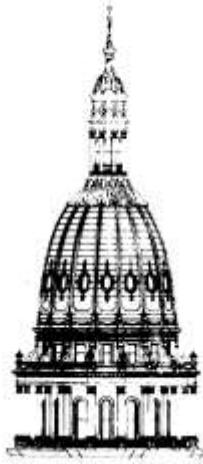
(* Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
792.11003	A	1	792.11115	A	1	792.11408	A	1
792.11004	A	1	792.11116	A	1	792.11409	A	1
792.11005	A	1	792.11117	A	1	792.11410	A	1
792.11006	A	1	792.11118	A	1	792.11411	A	1
792.11007	A	1	792.11201	A	1	792.11412	A	1
792.11008	A	1	792.11202	A	1	792.11413	A	1
792.11009	A	1	792.11203	A	1	792.11414	A	1
792.11010	A	1	792.11204	A	1	792.11415	A	1
792.11011	A	1	792.11205	A	1	792.11416	A	1
792.11012	A	1	792.11206	A	1	792.11417	A	1
792.11013	A	1	792.11207	A	1	792.11418	A	1
792.11014	A	1	792.11208	A	1	792.11419	A	1
792.11015	A	1	792.11301	A	1	792.11420	A	1
792.11016	A	1	792.11302	A	1	792.11421	A	1
792.11017	A	1	792.11303	A	1	792.11422	A	1
792.11018	A	1	792.11304	A	1	792.11423	A	1
792.11019	A	1	792.11305	A	1	792.11424	A	1
792.11020	A	1	792.11306	A	1	792.11425	A	1
792.11021	A	1	792.11307	A	1	792.11426	A	1
792.11022	A	1	792.11309	A	1	792.11427	A	1
792.11023	A	1	792.11310	A	1	792.11428	A	1
792.11024	A	1	792.11311	A	1	792.11429	A	1
792.11025	A	1	792.11312	A	1	792.11430	A	1
792.11026	A	1	792.11313	A	1	792.11431	A	1
792.11027	A	1	792.11314	A	1	792.11432	A	1
792.11101	A	1	792.11315	A	1	792.11433	A	1
792.11102	A	1	792.11316	A	1	792.11501	A	1
792.11103	A	1	792.11317	A	1	792.11502	A	1
792.11104	A	1	792.11318	A	1	792.11503	A	1
792.11105	A	1	792.11319	A	1	792.11504	A	1
792.11106	A	1	792.11320	A	1	792.11505	A	1
792.11107	A	1	792.11321	A	1	792.11506	A	1
792.11108	A	1	792.11401	A	1	792.11507	A	1
792.11109	A	1	792.11402	A	1	792.11508	A	1
792.11110	A	1	792.11403	A	1	792.11509	A	1
792.11111	A	1	792.11404	A	1	792.11510	A	1
792.11112	A	1	792.11405	A	1	792.11511	A	1
792.11113	A	1	792.11406	A	1	792.11512	A	1
792.11114	A	1	792.11407	A	1	792.11513	A	1

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792.11517	A	1
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792.11603	A	1
792.11604	A	1
792.11605	A	1
792.11606	A	1
792.11607	A	1
792.11608	A	1
792.11609	A	1
792.11610	A	1
792.11611	A	1
792.11701	A	1
792.11702	A	1
792.11703	A	1
792.11704	A	1
792.11705	A	1
792.11706	A	1
792.11707	A	1
792.11708	A	1
792.11709	A	1
792.11801	A	1
792.11802	A	1
792.11803	A	1
792.11901	A	1
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Audit Standards for Exams. Under the UUPA (2015-9)

**ADMINISTRATIVE RULES
ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2014 SESSION)**

Mich. Const. Art. IV, §33 provides: “Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated.”

Mich. Const. Art. IV, §27, further provides: “No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house.”

MCL 24.208 states in part:

“Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.”